

Agenda

Council

NOTICE OF MEETING

Notice is hereby given that a meeting of the Council will be held in the

Council Chamber - Glenelg Town Hall
Moseley Square Glenelg

23 January 2024 at 7pm



Roberto Bria
Chief Executive Officer



1. Opening

The Mayor will declare the meeting open at 7.00pm.

2. Kurna Acknowledgement

We acknowledge Kurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kurna People today.

3. Service to Country Acknowledgement

The City of Holdfast Bay would like to acknowledge all personnel who have served in the Australian forces and services, including volunteers, for our country.

4. Prayer

Heavenly Father, we pray for your presence and guidance at our Council Meeting. Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

5. Apologies

5.1 Apologies received - Nil

5.2 Absent

6. Items Presented to Council

7. Declaration Of Interest

If a Member has an interest (within the terms of the Local Government Act 1999) in a matter before the Council they are asked to disclose the interest to the Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

8. Confirmation Of Minutes

That the minutes of the Ordinary Meeting of Council held on 12 December 2023 be taken as read and confirmed.

9. Public Presentations

9.1 Petitions - Nil

9.2 Presentations - Nil



9.3 **Deputations - Nil**

10. Questions by Members

10.1 **Without Notice**

10.2 **On Notice**

10.2.1 Seawall Development – Councillor Miller (Report No: 02/24)

11. Member's Activity Reports

11.1 Deputy Mayor's Activity Statement (Report No: 14/24)

12. Motions on Notice

12.1 Auslan Interpreters at Key Civic and Community Events – Councillor Abley (Report No: 01/24)

12.2 The Local Music Festival – Councillor Miller (Report No: 03/24)

12.3 Marine Environment Awareness – Councillor Lindop (Report No: 13/24)

13. Adjourned Matters - Nil

14. Reports of Management Committees and Subsidiaries

14.1 Minutes – Jetty Road Mainstreet Committee – 13 December 2023 (Report No: 07/24)

15. Reports by Officers

15.1 Items in Brief (Report No: 06/24)

15.2 Sea to Shore Glenelg Seafood Festival 2023 (Report No: 10/24)

15.3 Naming New Roads (Report No: 20/24)

15.4 2023 Mawson Oval Reference Group Annual Report (Report No: 08/24)

15.5 Local Government Participation and Elections Review (Report No: 19/24)

15.6 Council Civic Functions, Awards, Ceremonies and Openings Policy (Report No: 11/24)

15.7 Council Sponsorship Policy (Report No: 12/24)

16. Resolutions Subject to Formal Motions

Presented for the information of Members is a listing of resolutions subject to formal resolutions, for Council and all Standing Committees, to adjourn or lay on the table items of Council business, for the current term of Council.



17. Urgent Business – Subject to the Leave of the Meeting

18. Items in Confidence - Nil

19. Closure



Roberto Bria
Chief Executive Officer

Item No: 10.2.1

Subject: QUESTION ON NOTICE – SEAWALL DEVELOPMENT - COUNCILLOR MILLER

Question

Councillor Miller asked the following questions:

“Can Administration advise:

- 1. The reasons behind Council stepping aside as a party to the ongoing litigation regarding the development at the former Seawall Apartments site?***
- 2. What steps have been taken to date to articulate these reasons to the community?”***

Background

There has been a perceived lack of information regarding why Council stepped back from the case regarding the Seawall Apartments site, leading some residents to believe that Council has abandoned the broader and overarching issues surrounding the case (public interface, appropriate setback, scale and height, traffic management, and heritage concerns).

While we know this is not the case, and Council remains committed to advocating for sympathetic development in our community, it would be appropriate for Council to articulate this message in context to the ongoing case, particularly to those impacted nearby and those who were involved in initial community opposition to the proposed development.

Answer – Manager Development Services

The reasons behind Council stepping aside as a party to the ongoing litigation regarding the development at the former Seawall Apartments site?

Council’s decision to remove itself from the legal case against the developers of the Seawall Apartments was to allow it to invest time and resources more effectively to advocate on behalf of the community. Based on legal advice around the costings and likelihood of success, Council resolved to discontinue with its active participation in the appeal to the Supreme Court. In reaching its decision, Council was conscious that by continuing with a protracted legal process, the site would continue to remain dormant and an eyesore in this prominent location. Elected Members agreed to the decision at the 12 April 2022 Council meeting, enabling the Mayor and Chief Executive Officer to meet with the developer to advocate a best possible outcome on the community’s behalf.

What steps have been taken to date to articulate these reasons to the community?

Council issued a Media Statement on its website on 21 April 2022, with the Media Statement being shared with interested members of the public at the time and all community members making enquiries since. The information regarding Council’s motive in the Media Statement has not changed since its release and remains relevant today, with the Media Release used as a reference for all current and ongoing enquiries. A copy of the Media Statement is attached.

Refer Attachment 1

Attachment 1

Council decision on Seawall Apartments

Council has made the decision to remove itself from the legal case against the developers of the Seawall Apartments, to allow it to invest time and resources more effectively to advocate on behalf of the community.

Elected Members agreed to the decision at the 12 April council meeting. Holdfast Bay Mayor Amanda Wilson and council Chief Executive Roberto Bria will now seek to meet with the developer to advocate a best possible outcome on the community's behalf.

"When demolition began of the non-heritage buildings at the Seawall Apartments site earlier this month, I was unable to comment publicly as the litigation was to come before council for a decision on 12 April," Mayor Wilson said.

"My hands were tied as I cannot comment prior to a matter being debated.

"As we have now resolved to discontinue, I will have more freedom to campaign publicly and in the media to convey our stance on the development - that five storeys should mean five and not 13."

Council successfully campaigned to support the community in its opposition to a multi-storey replacement for the historic Seawall Apartments on the foreshore at Glenelg. This resulted in the development's refusal by the State Commission Assessment Panel (SCAP).

Council was subsequently allowed to be joined in the Environment, Resources and Development Court against the developer's appeal against the SCAP's decision.

Since then, the developer has appealed that decision to the Supreme Court.

As a result, Council had to make a decision whether it wished to actively participate in the defence of that appeal.

Based on legal advice around the costings and likelihood of success, and in light of the changed position of the SCAP since its initial decision, Council resolved to discontinue with its active participation in the appeal to the Supreme Court.

In reaching its decision, Council was conscious that by continuing with a protracted legal process, the site would continue to remain dormant and an eyesore in this prominent location.

Item No: 11.1**Subject:** **DEPUTY MAYOR'S ACTIVITY STATEMENT – COUNCILLOR LINDOP –
3 JULY TO 28 DECEMBER 2023**

Summary

Councillor Lindop was appointed as Deputy Mayor for the period 30 November 2022 to 1 December 2023. This report includes duties performed as Deputy Mayor and as a Councillor until 28 December 2023, and is presented for the information of Members.

After noting the report any items of interest can be discussed, if required with leave of the meeting.

Recommendation

That the following activity report for Councillor Lindop be noted.

Report

Date	Activity
3/07/2023	Meeting with Chief Executive Officer, Roberto Bria - Brighton Civic Centre
4/07/2023	Council Workshop - Brighton Civic Centre
6/07/2023	Attended the launch for the Glenelg Winter Arts Festival – Colley Reserve
7/07/2023	Official Open of the Tom More “Abundant Wonder” Jam Factory Exhibition – Bay Discovery Centre, Glenelg
11/07/2023	Council Workshop and Council Meeting – Glenelg Town Hall
18/07/2023	Council Workshop – Brighton Civic Centre
21/07/2023	Meeting with resident adjacent to Pine Gully
25/07/2023	Council Meeting - Glenelg Town Hall
28/07/2023	5049 Coastal Community Liaison Meeting- via Zoom
1/08/2023	Meeting with Council Administration regarding Wheatland Street car park and line marking
1/08/2023	Council Workshop – Brighton Civic Centre
10/08/2023	“Black Electorate” Community Recognition Awards – Patritti Winery
15/08/2023	Council Workshop – Brighton Civic Centre
15/08/2023	“Science in the Pub” – Biodiversity and Our Oceans presentation - Brighton Seacliff Yacht Club
18/08/2023	Brighton Dunes Art Exhibition
22/08/2023	Council Workshop and Meeting - Glenelg Town Hall
5/09/2023	Council Workshop – Brighton Civic Centre
12/09/2023	Council Workshop and Meeting - Glenelg Town Hall
19/09/2023	Brighton Lions Club Guest Speaker
22/09/2023	Seacliff Hockey Club End of Season and Awards Presentation Evening – Kauri Sports and Community Centre

Date	Activity
25/09/2023	Council Administration "Teams meeting" regarding residents' concerns
26/09/2023	Council Meeting – Glenelg Town Hall
3/10/2023	Council Administration Meeting regarding Wheatland Street, Seacliff Traffic concerns – Brighton Civic Centre
3/10/2023	Council Workshop - Brighton Civic Centre
7/10/2023	Brighton Seacliff Yacht Club Season Open – BSYC
7/10/2023	Somerton Yacht Club Season Open – SYC
10/10/2023	Council Workshop and Meeting – Glenelg Town Hall
14/10/2023	Seacliff Surf Lifesaving Club, Official recognition of Life Members and Season Open - SSLC
15/10/2023	North Brighton Community Garden Spring Open Day and Plant Sale
17/10/2023	Meeting with Council Administration regarding sporting infrastructure
24/10/2023	Council Workshop and Meeting – Brighton Civic Centre
28/10/2023	Sea to Shore Glenelg Seafood Festival
28/10/2023	Seacliff Uniting Church Community Garden Opening – Seacliff Uniting Church Wheatland Street
29/10/2023	Attend the finish line to greet the 'Down Under' -London to Brighton Run for 100-Year-old cars - Wattle Reserve
6/11/2023	Funeral Service for former Mayor, Dr Ken Rollond – Our Lady of Victories Catholic Church
9/11/2023	Holdfast Bay Greening Business Awards – Kauri Sports and Community Centre
21/11/2023	Celebration of Life Memorial Service for Mrs Mary Trott
21/11/2023	Council Workshop – Brighton Civic Centre
28/11/2023	Council Workshop and Meeting – Glenelg Town Hall
29/11/2023	Brighton Secondary School Valedictory and Presentation Evening – Adelaide Town Hall. Presented the "Spirit of Anzac Award" on behalf of Mayor Wilson
5/12/2023	Attended Volunteer "thank you" and Christmas Morning Tea function at Event Cinema and gave "thank you speech" on behalf of Mayor Wilson
12/12/2023	Council Meeting – Glenelg Town Hall
28/12/2023	Proclamation Day – Old Gum Tree Reserve, Glenelg North
28/12/2023	Bay Sheffield – Colley Reserve, Glenelg

Item No: 12.1

Subject: **MOTION ON NOTICE – AUSLAN INTERPRETERS AT KEY CIVIC AND COMMUNITY EVENTS – COUNCILLOR ABLEY**

Proposed Motion

Councillor Abley proposed the following motion:

That Council approves the cost of Auslan Interpreters at key Civic and Community events (i.e., Australia Day, Proclamation Day, Christmas Pageant) in Council's annual events budget.

Background

For the first time in 2023, the Glenelg Christmas Pageant was broadcast on Channel 44. This broadcast included Auslan interpretation of the pageant commentary.

Ensuring our community events are inclusive and accessible in line with Council's Social Inclusion Policy, the inclusion of Auslan Interpreters would ensure our deaf constituents are considered when planning future events.

Administration Comment

Depending on the nature and duration of each event, between one and two Auslan interpreters would be required to be engaged. Short events that don't include Q&A or similar complex back-and-forth can generally be covered by one interpreter. Longer events (one hour or longer) require two interpreters due to WHS and quality assurance requirements.

According to the fee schedule (effective 1/7/23) sourced from provider Deaf Connect, costs for onsite Auslan interpretation at selected events would be as follows:

- Australia Day (public holiday rates)
 - 2 interpreters for up to 2 hours = \$612 ex GST
- Proclamation Day (weekday rates)
 - 2 interpreters for up to 2 hours = \$480 ex GST
- Christmas Pageant (Sunday rates)
 - 2 interpreters for up to 2 hours = \$612 ex GST
- Small Civic Function <1hr duration
 - Minimum fee for one interpreter = \$240 ex GST business hours; \$308 ex GST evenings/weekends/public holidays

Item No: 12.2

Subject: **MOTION ON NOTICE – THE LOCAL MUSIC FESTIVAL –
COUNCILLOR MILLER**

Proposed Motion

Councillor Miller proposed the following motion:

That Council:

- 1. Includes The Local Music Festival as a part of its annual events calendar;**
 - 2. Continues to leverage opportunities for private and public sponsorship to tie in with The Local; and**
 - 3. Continues to host The Local Music Festival as a free event showcasing local and emerging musical talent.**
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Background

The Local has been an incredibly successful event, bringing in thousands of people and providing a platform for young, local, and emerging talent to perform paid gigs on a professional stage. Local bands have been incredibly grateful for the opportunity, which has given them vital experience that has helped them grow and perform in larger commercial spaces and music venues. The 2020 event was nominated for the Best Event in the SA Music Awards, and the 2021 event won the Parks & Leisure SA award for best event. Local traders have been stellar supporters of the event. The event has also been supported by the HoldUp Youth Committee and Jetty Road Mainstreet Committee for each year it has taken place.

The 2023 event saw over 1,300 visitors counted, and by all accounts it was a hugely successful day. The event continues to grow and be recognised and it would be a great show of support for the local economy, youth, and the arts to have it formally assimilated into Council's annual summer events season.

Item No: 12.3

Subject: MOTION ON NOTICE – MARINE ENVIRONMENT AWARENESS –
COUNCILLOR LINDOP

Proposed Motion

Councillor Lindop proposed the following motion:

1. That Council writes to The Hon. Clare Scriven MLC Minister for Primary Industries and Deputy Premier Dr Susan Close Minister for Climate, Environment and Water to ask: for a review into the impacts of recreational shark and stingray fishing on sharks and stingrays in metropolitan Adelaide waters; to review the potential for the protection of stingrays in South Australia; and, to advocate for the State Government to include in its recreational fishing information and communications, information that stingrays are considered to be of significant local native cultural significance and biodiversity as part of our fragile and important marine ecosystems.
 2. That Council Administration looks at ways to raise awareness about sharing our beaches and ocean safely with stingrays, through an education and information campaign including brochures, signage, social media, and other forms of promotion featuring the many regular rays who frequent the shallows of Kingston Beach and Seacliff Beach.
 3. That Administration installs information on coastal and inland biodiversity, aligned with our Environmental Strategy to promote awareness of the marine environment at the Seacliff Beach access area, Brighton Jetty and Glenelg Jetty to educate the public on our local stingrays, which are commonly found in our inshore waters; and
 4. That a budget allocation of \$7,500.00 be considered within the 2024-25 budget for design and installation for three interpretive signs.
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Background

Stingrays are of significant local native cultural significance and biodiversity as part of our fragile marine ecosystem. Currently, southern eagle rays (*Myliobatis australis*) and smooth rays (*Bathytoshia brevicaudata*) are both commonly seen and encountered around the shallow waters of Seacliff and Kingston Park. This population is currently being studied by a postgraduate student at Flinders University. In early January, a large smooth ray (approximately 1.7 m across) washed up near the Seacliff Surf Life Saving Club. It had significant injuries to the top of its head and to its front flap near the snout, caused by human interaction and mistreatment. The animal was collected by Flinders University for further investigation. This is not the first time that a mutilated shark or ray carcass has washed up in the City of Holdfast Bay.

Sharks and rays play an important role in marine ecosystems. As predators aid the survival of certain prey species by controlling their numbers, the removal of both top predators (sharks) and mesopredators (stingrays) can affect entire ecosystems at a landscape scale, which makes them critical to healthy ecosystems.

The ethical and humane treatment of sharks and rays is vital to their survival and conservation, particularly in metropolitan waters, but unfortunately it is common for divers and snorkelers to find injured and mutilated sharks and rays, usually near jetties. In addition, they are not protected by South Australian animal welfare legislation because it excludes fish in the definition of animals. Sharks and rays are vulnerable to injuries during fishing activities, especially capture and landing and often die a slow death when left on the jetty or shore, or even after being returned to the water. Often these animals are deliberately mutilated before being returned to the water.

Item No: 14.1

Subject: MINUTES – JETTY ROAD MAINSTREET COMMITTEE –
13 DECEMBER 2023

Summary

The Minutes of the Jetty Road Mainstreet Committee meeting held on 13 December 2023 are attached and presented for Council's information.

Jetty Road Mainstreet Committee Agenda, Report and Minutes are available on council's website and the meetings are open to the public.

Recommendation

1. That Council notes the minutes of the Jetty Road Mainstreet Committee of 13 December 2023.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Attachment 2 to Report No: 07/24 Minutes – Jetty Road Mainstreet Committee – 13 December 2023 in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Committee, pursuant to section 91(7) of that Act orders that Attachment 2 be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the documents when the negotiations have been finalised and that this order be reviewed every 12 months.
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Background

The Jetty Road Mainstreet Committee (JRMCC) has been established to undertake work to benefit the traders on Jetty Road Glenelg, using the separate rate raised for this purpose. Council has endorsed the Committee's Terms of Reference.

Jetty Road Mainstreet Committee Agendas, Reports, and Minutes are available on council's website and the meetings are open to the public.

Report

Minutes of the meetings of JRMCC held on 13 December 2023 are attached for member's information.

Refer Attachments 1 and 2

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Building an economy and community that is inclusive, diverse, sustainable and resilient.

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: General Manager, Community and Business

General Manager: Community and Business, Ms M Lock

Attachment 1



Minutes of the Jetty Road Mainstreet Committee Held in the Mayor's Parlour, Glenelg Town Hall on Wednesday 13 December 2023 at 5.45pm

ELECTED MEMBERS PRESENT

Mayor A Wilson
Councillor R Abley
Councillor A Kane

COMMITTEE REPRESENTATIVES PRESENT

Attitudes Boutique, Ms G Martin
Beach Burrito, Mr A Warren
Cibo Espresso, Mr T Beatrice
Glenelg Finance, Mr D Murphy
Royal Copenhagen Glenelg and Brighton, Ms S Smith
Yo-Chi, Ms B Millard (via virtual connection)
Echelon Studio – Architecture and Design, Mr C Morley
Ikos Holdings Trust, Mr A Fotopoulos

STAFF IN ATTENDANCE

Chief Executive Officer, Mr R Bria
General Manager, Community and Business, Ms M Lock
Manager, City Activation, Ms R Forrest
Jetty Road Development Coordinator, Ms A Klingberg

1. OPENING

The Chair, Ms G Martin, declared the meeting open at 5.48pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting the Chair, Ms G Martin stated:

We acknowledge Kaurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.

3. APOLOGIES

3.1 Apologies Received: Mr A Chhoy

3.2 Absent

4. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

5. CONFIRMATION OF MINUTES

Motion

That the minutes of the Jetty Road Mainstreet Committee held on 1 November 2023 to be taken as read and confirmed.

Moved D Murphy, Seconded C Morley

Carried

6. QUESTIONS BY MEMBERS

6.1 Without Notice

6.2 With Notice

The Chair sought leave of the meeting to propose that Agenda Items 8.1, 8.2, 8.3 and 8.4 be considered after Item 6.2 to allow representatives from Gluttony to attend the meeting.

Leave of the meeting granted.

8. REPORTS/ITEMS OF BUSINESS

8.1 Jetty Road Events Update (Report No: 410/23)

Jetty Road Mainstreet Committee in partnership with the City of Holdfast Bay are responsible for implementing and managing a variety of major events to support economic stimulus in the precinct in accordance with the annual marketing and business plan. This report provided an overview of recent and upcoming events.

Motion

That the Jetty Road Mainstreet Committee notes this report.

Moved S Smith, Seconded T Beatrice

Carried

8.2 Monthly Finance Report (Report No: 419/23)

This report provided an update on the Jetty Road Mainstreet income and expenditure as at 30 November 2023.

Motion

That the Jetty Road Mainstreet Committee notes this report.

Moved Councillor Abley, Seconded D Murphy

Carried

8.3 Marketing Update (Report No: 422/23)

This report provided an update on the marketing initiatives undertaken by the Jetty Road Mainstreet Committee aligned to the 2023-24 Marketing Plan.

Motion

That the Jetty Road Mainstreet Committee:

1. **notes this report;**
2. **approves \$6,000 to be allocated to a joint cinema advertising campaign with the Tourism Department; and**
3. **approves the Jetty Road Social Media Strategy.**

Moved T Beatrice, Seconded A Warren

Carried

8.4 **Jetty Road Mainstreet Independent Members** (Report No: 420/23)

The Jetty Road Mainstreet Committee (JPMC) comprises of up to 13 persons who are a mix of the Jetty Road Mainstreet Precinct business owners, commercial property owners (nine persons) and Elected Members of Council (two persons) and, if the Committee wishes to do so, independent members (two persons). Following the appointment in April 2023, 11 positions were filled, leaving two independent member positions vacant.

This report sought to advertise for independent member positions for the remainder of the current term, which concludes 31 March 2025. Nominations for the positions will be open from 29 January to 9 February 2024.

This report also sought the appointment of a JPMC member to the Selection Panel.

Motion

That the Jetty Road Mainstreet Committee:

- 1. notes this report;**
- 2. recommends advertising for and the appointment of up to two independent members to the Jetty Road Mainstreet Committee; and**
- 3. appoints Mr C Morley to the Selection Panel in accordance with the JPMC Terms of Reference.**

Moved A Warren, Seconded T Beatrice

Carried

The Chair resumed the order of business as determined by the agenda with the arrival of representatives from Gluttony.

7. PRESENTATION

7.1 Glenelg Winter Arts Festival

Program Director, Ms E. Kirschbaum, Gluttony provided an overview of the inaugural Glenelg Winter Arts Festival and identified opportunities.

Mayor Wilson and Councillor Kane joined the meeting at 6.05pm.

B Millard joined the meeting via virtual connection at 6.18pm.

A Fotopoulos joined the meeting at 6.24pm.

7.2 Jetty Road Masterplan – In Confidence

Motion – Exclusion of the Public – Section 90(3)(d) Order

Pursuant to section 90(2)(d) of the *Local Government Act 1999* the discussion associated with this agenda item and the accompanying documentation is delivered to the Committee Members upon the basis that the Committee considers the presentation in confidence under Part 3 of the Act, specifically on the basis that Committee will receive, discuss or consider:

- d. commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - i. could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - ii. would, on balance, be contrary to the public interest.

Moved A Warren, Seconded T Beatrice

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

That having considered Agenda Item 7.1, **Jetty Road Masterplan Presentation** in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Committee, pursuant to section 91(7) of that Act orders that the discussion relevant to this item be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the documents when the negotiations have been finalised and that this order be reviewed every 12 months

Moved A Fotopoulos, Seconded C Morley

Carried

The meeting came out of confidence at 7.45pm.

8. REPORTS/ITEMS OF BUSINESS

8.5 JRMC Meeting Schedule 2024 (Report No: 421/23)

The Jetty Road Mainstreet Committee (JRMC) Terms of Reference requires meetings of the JRMC to be held at least once every two months.

All meetings of the JRMC are held in a place open to the public except in special circumstances as defined by section 90 of the *Local Government Act 1999*.

Meetings are currently held on the first Wednesday of each month. It is proposed that the JRMC continues this meeting frequency, with every third meeting to be a dedicated workshop.

Motion

That the Jetty Road Mainstreet Committee:

- 1. notes this report;**
- 2. continues to meet monthly on the first Wednesday of each month, except January, with every third meeting to be a dedicated workshop; and**
- 3. meetings and workshops will commence at 6.00pm.**

Moved T Beatrice, Seconded D Murphy

Carried

9. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil

10. ITEMS IN CONFIDENCE

10.1 Winter Activation (Report No: 423/23)

Motion – Exclusion of the Public – Section 90(3)(d) Order

- 1. That pursuant to section 90(2) of the *Local Government Act 1999* the Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 423/23 Winter Activation in confidence.**
- 2. That in accordance with section 90(3) of the *Local Government Act 1999* the Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 423/23 Winter Activation on the following grounds:**
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information.**

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved C Morley, Seconded A Warren

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

That having considered Agenda Item 10.1, Report No: 423/23 Winter Activation in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Committee, pursuant to section 91(7) of that Act orders that the report, attachment and minutes relevant to this item be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the documents when the negotiations have been finalised and that this order be reviewed every 12 months

Moved D Murphy, Seconded A Fotopoulos

Carried

11. DATE AND TIME OF NEXT MEETING

The next meeting of the Jetty Road Mainstreet Committee will be held on Wednesday 7 February 2024 to commence at 6.00pm in the Mayor's Parlour Glenelg Town Hall.

12. CLOSURE

The meeting closed at 8.19pm.

CONFIRMED 7 February 2024

CHAIR

Item No: 15.1

Subject: ITEMS IN BRIEF

Summary

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

Recommendation

That the following items be noted and items of interest discussed:

1. **Proclamation Day and Signal Fires Events**
 2. **New Year's Eve at the Bay**
 3. **Glenelg Greek Festival with Blessing of the Waters**
 4. **Preserving History: Holdfast Council's Mission for Paddy and Charlie at Kingston Park**
 5. **City of Marion – Letter to Minister for Infrastructure and Transport – Request to Remove Non-Compliant Trees from SA Power Networks**
 6. **Hon Kyam Maher MLC, The Attorney General's visit to the City of Holdfast Bay**
 7. **2023 Feast Festival Program**
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Report

1. **Proclamation Day and Signal Fires Events**

Thursday 28 December 2023 was South Australia's 187th Proclamation Day, marking the anniversary of the arrival of Governor Hindmarsh and the reading of the Proclamation document under the Old Gum Tree to the first European settlers on 28 December 1836.

The City of Holdfast Bay plans its annual Proclamation commemorations in close consultation with representatives of the Kaurna Nation. Proclamation Day presents an opportunity to recognise the importance of the Letters Patent as a founding document for South Australia. When issued, the Letters Patent was the first time Aboriginal rights were legislatively acknowledged in Australia's colonial history.

For the third time, Kaurna Nation hosted a small overnight camp on the evening of 27 December. The ceremony itself was attended by Kaurna Elders Jeffery Newchurch, Lynette Crocker, Merle Simpson, Frank Wanganeen and other Kaurna Nation representatives.

Formalities were led by a smoking ceremony, followed by an address by proud Kaurna, Narungga and Kokatha woman Quahli Newchurch on behalf of the Kaurna

Traditional Owners. The Proclamation of South Australia was read by Her Excellency the Honourable Francis Adamson AC, Governor of South Australia. The Proclamation Day addresses were delivered by Amanda Wilson, Her Worship the Mayor, City of Holdfast Bay, the Honourable Susan Close MP, Deputy Premier of South Australia, who represented the Honourable Peter Malinauskas MP, Premier of South Australia and Her Excellency.

Approximately 300 people attended the commemoration, including Stephen Patterson MP, Member for Morphett who also represented David Speirs MP, Member for Black and Leader of the Opposition, Sarah Andrews MP, Member for Gibson, Mayors and Councillors from across South Australia and representatives of local historical societies, Defence Forces and Emergency Services.

For the first time, the ceremony at the Old Gum Tree was followed by a Signal Fires event held at Kingston Park Reserve, led by Kurna Elders and the Kurna fire team from Firesticks – an Indigenous alliance across Australia reviving cultural burning and landscape management. There was an open invitation to the whole community to join this event to learn about shared history. It is widely documented that signal fires were a form of communication for Aboriginal Australians during the colonisation period.

The signal fire was lit at Kingston Park Reserve before being carried to create two additional signal fires on the beach at Kingston Park and North Brighton. Plumes of smoke were sent into the sky from each fire, re-creating the signal fires that would have been lit along the coast when colonial ships arrived in 1836.

Both ceremonies had media engagement celebrating the truth telling and collaboration of the events.

2. New Year's Eve at the Bay

An estimated 60,000 people converged on Glenelg and Brighton to celebrate the New Year with a family friendly, alcohol free night of music and fireworks.

In Brighton there was DJ entertainment from 6.00pm, culminating in a 9:30pm fireworks display synchronised to music. Glenelg had fireworks displays at both 9:30pm and midnight, with DJs entertaining a diverse crowd on the foreshore until 1.00am.

Organised celebrations are an important means of reducing risk for unplanned and unmanaged crowds converging on the area. As part of planning for New Year's Eve there was close liaison and engagement with South Australia Police (SAPoL), Metropolitan Fire Service, South Australia Ambulance Service (SAAS), St John Ambulance SA, Surf Life Saving SA as well as local clubs and businesses. This included development of a comprehensive risk assessment and emergency management plan. During the evening an Event Operations Centre (EOC) was operational in the Glenelg Town Hall and staffed by representatives from SAPoL, Surf Life Saving SA, St John Ambulance SA, MFS and Council Administration. The costs of implementing public safety measures such as increased lighting and security during NYE is partially supported by a State Government grant.

The event concluded without serious incident, with fewer medical and public order incidents than seen in 2023. Similarly, while there were periods of significant traffic congestion, this cleared more rapidly than last year.

As expected, attendance was lower in 2024 than in 2023. Last year Glenelg and Brighton were the only free and unticketed NYE events, leading to unprecedented crowds of 100,000 over the course of the evening. In contrast, this year there were also free fireworks displays held in the City of Adelaide and Semaphore beach. A return to an attendance of 60,000 is commensurate with that seen typically in years pre COVID-19.

3. Glenelg Greek Festival with Blessing of the Waters

The Glenelg Greek Festival with Blessing of the Waters took place on the 6 and 7 January 2024 from 10am to 9pm at Jimmy Melrose Park.

The two-day cultural festival was organised by the Greek Orthodox Archdiocese of Australia Intercommunities Council of SA. The event brings together all the parishes and communities, cultural dancing groups and over 120 volunteers offering their services to display a fun-filled festival, which highlights Greek cuisine, music, dance and culture.

The Blessing of the Waters ceremony was held on 7 January from 12:30pm to 1:30pm on the Glenelg Jetty. The ceremony commenced with the Bishop and clergy of the Greek Orthodox Archdiocese of Australia Intercommunities Council of SA, invited dignitaries and community gathering on the jetty. The waters were then blessed and a cross tossed into the water for the competing divers to retrieve. The diver who retrieves the cross first is blessed for the year.

Following the Ceremony, Dr Vladimir Devrelis gave the welcome opening speech and his Grace Bishop Silouan of Sinope spoke of the importance of the event. The Honourable Peter Malinauskas MP, Premier of South Australia and Member for Morphett Stephen Patterson MP, representing David Speirs MP, Leader of the Opposition made speeches. An official luncheon was held at Jimmy Melrose Park, where Mayor Amanda Wilson made a speech on behalf of the City of Holdfast Bay.

4. Preserving History: Holdfast Council's Mission for Paddy and Charlie at Kingston Park

Rooted in Heritage, since 1860, Paddy and Charlie, two Norfolk Island Pines, have stood witness to the unfolding story of Kingston Park. Planted by Sir George Strickland Kingston in representation of his sons, their significance and stature is undeniable.

Upon closer examination, Paddy's gradual decline recently caught the discerning eye of the Holdfast Bay Council and community. Acknowledging the intrinsic value of these trees, a strategic initiative was set in motion to alter Paddy's trajectory.

The narrative of a hopeful revival has involved several purposeful interventions including:

- Water-filled barrier - To ensure the tree receives a steady and reliable source of water, a leaky water barrier is to be placed under the eastern edge of the canopy drip line. This barrier is to be periodically filled throughout dry months with a liquid feed provided in spring.
- Nail and screw removal - An excessive amount of old rusty nails had been driven into the trunk of Paddy. This appears to have occurred many years ago, potentially from a period in time when nailing signs to trees was the norm. These nails are to be removed so the wounding has an opportunity to occlude.
- Pruning and deadwood removal – Both Paddy and Charlie received a maintenance prune to remove to ensure they look their best through the recovery.
- Mealybug control – A series of predatory bugs (Australian native ladybird) have been released. This has kept mealybugs from causing further decline.
- Weed-mat removal – This product was recognised to be reducing soil health as it consumed a majority of Paddy's growing space. With this removed, we will bring back soil health and in turn, Paddy's health.

More upcoming strategies to revive Paddy are to involve:

- Vertical mulching – To further improve soil health a series of vertical trenches are to be carefully excavated. Voids are to then be backfilled with bio-char and beneficial microbes.
- Carpark relay – A neighbouring cabin carpark will receive repairs, swapping out an impermeable surface for a permeable paver. This will again further improve soil health allowing for more oxygen and water within the tree's growing space.
- Weed removal/revegetation – As the site beneath Paddy's canopy is largely consumed by weedy plants, a plan to revegetate with local plants should serve well in complementing the cliff face and again further contribute to soil health improvements.

We hope that with all the interventions applied we will bring new vigour and an extended life to Paddy. Next time you're passing by and enjoying the beauty and shade that these trees provide, be sure to give your best wishes to Paddy on his path to recovery.

5. City of Marion – Letter to Minister for Infrastructure and Transport – Request to Remove Non-Compliant Trees from SA Power Networks

The Mayor received a copy of correspondence sent by Mayor, Kris Hanna, City of Marion to the Minister for Infrastructure and Transport regarding a request from SA Power Networks (SAPN) that the City of Marion remove more than 600 street trees.

Refer Attachment 1

The City of Holdfast Bay received a similar request from SAPN at about the same time (2021), however the removal request was only for eight trees, the majority of which were planted by residents.

Since receiving their request, the City of Marion has been leading discussions and negotiations with SAPN, on behalf of a number of interested councils, regarding the request and potential changes to the electricity regulations, which are too restrictive to enable a significant increase in tree canopy. The City of Marion have also consulted with the LGASA regarding the risk to council if it were to undertake tree pruning itself. These negotiations are continuing.

Due to the situation with the City of Marion, the City of Holdfast Bay decided not to remove the trees requested by SAPN until there is a resolution.

6. Hon Kyam Maher MLC, The Attorney General's visit to the City of Holdfast Bay

The Attorney-General and Minister for Aboriginal Affairs, the Hon. Kyam Maher MLC, visited the Bay Discovery Centre on 13 November 2023 to meet with the Mayor and Kaurna Elders for a private tour of award-winning exhibition, Tiati Wangkathi Kumangka (Truth-Telling Together). Following the tour, council met with the Minister to discuss Proclamation Day, along with the inaugural Signal Fires event.

7. 2023 Feast Festival Program

As part of the 2023 Feast Festival program, the Bay Discovery Centre hosted a special anniversary celebration held by Dr Gertrude Glossip whose alter-ego, Will Sergeant, was presented with an OAM in 2023 for his work as a queer activist and historian.

In this event, which was attended by approximately 30 people, Gertrude revisited the 1973 Gay Parade, focusing on the 'Cosmos' dance which took place in the Glenelg Town Hall. The event also included a small display of Gertrude's historic wardrobe, a selection of 1973 Gay Proud Parade items and a preview of Gertrude's new book, 'Gert by Sea'.

All proceeds from the night went to the Parkestone Foundation, a non-profit organisation run by volunteers for the benefit of the LGBTQIA+ community in South Australia.

Written By: Executive Support Officer

Chief Executive Officer: Mr R Bria

Attachment 1



OFFICE OF THE MAYOR

1 December 2023

Received
- 8 DEC 2023

CITY OF HOLDFAST BAY



PO Box 21, Park Holme
South Australia 5043

245 Sturt Road, Sturt
South Australia 5047

T (08) 8375 6600

F (08) 8375 6699

E council@marion.sa.gov.au

Mayor Amanda Wilson
City of Holdfast Bay
PO Box 19
BRIGHTON SA 5048

Dear Mayor *Amanda,* Wilson

Please find attached for your information a copy of our correspondence to the Minister for Infrastructure and Transport dated 27 November 2023 regarding a demand from SA Power Networks that the City of Marion remove hundreds of street trees.

Yours sincerely

Kris
Kris Hanna
Mayor, City of Marion

Enc.1.

The City of Marion acknowledges we are situated on the traditional lands of the Kaurna people and recognises the Kaurna people as the traditional custodians of the land.

27 November 2023

Tom Koutsantonis MP
Minister for Infrastructure and Transport
GPO Box 1533
ADELAIDE SA 5001
E: Minister.Koutsantonis@sa.gov.au

PO Box 21, Park Holme
South Australia 5043

245 Sturt Road, Sturt
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E council@marion.sa.gov.au

Dear Mr Koutsantonis

I write to you regarding a demand that SA Power Networks has made to the City of Marion **to remove hundreds of street trees** in our council area.

As you are aware, Adelaide is feeling the impacts of climate change and has warmed by 1.4°C from baseline levels. The number of hot days in Adelaide is rapidly increasing and we expect to experience our first 50°C day within the next few years. The Urban Heat Island effect means that built-up areas are hotter and take longer to cool down, leading to a host of health, social and environmental problems. One of the best investments local governments can make, to address the impact of climate change, is the planting of trees: contributing to carbon sequestration, cooling and biodiversity outcomes.

The City of Marion has a total canopy level of 15.01%, well below the figure for metropolitan Adelaide of 23.37% and half that of the international standard for healthy cities (30%). We are also acutely aware that urban infill is driving the loss of further trees on private land. Our Council has made representations to the Planning System Implementation Review and Parliamentary Inquiry into the Urban Forest seeking regulatory reform to reverse this trend. Together with many metropolitan councils, the City of Marion is acting to mitigate the local impacts of climate change by embarking on an ambitious tree planting program. We currently have a target to plant an additional 30,000 trees by 2028.

One of the primary limitations to canopy growth on public land is road and utility encumbrances. Under the *Electricity (Principles of Vegetation Clearance) Regulations 2021* (the Regulations), only trees on a list of Permitted List of species can be planted within non-bushfire areas (i.e. built-up areas). The List is managed by the Office of the Technical Regulator but effectively policed by SA Power Networks (SAPN), who is responsible for pruning trees to maintain line clearances.

The Permitted List includes small species such as Callery pears, bottlebrushes and crepe myrtles, and excludes larger trees such as jacarandas and many eucalypts. The smaller species on this list offer less environmental benefit due to their reduced shade and create an increased financial burden to councils because they generally have a

The City of Marion acknowledges we are situated on the traditional lands of the Kaurna people and recognises the Kaurna people as the traditional custodians of the land.

lower useful life expectancy, requiring more regular planting and removal. In recognition of councils' efforts to create a high performing urban forest with good amenity value, SAPN has historically tolerated the planting of limited numbers of non-approved trees.

SAPN advises that it currently spends \$8M per year on vegetation maintenance in non-bushfire areas of a total \$40M spend across all areas of the state. SAPN is actively working to reduce this cost, justifying this on the basis of keeping down electricity prices (or is it a matter of maintaining profits?). On this basis, SAPN has notified councils that it is no longer prepared to tolerate any non-compliant plantings and has issued non-compliance notices requesting the removal of any such trees planted since 2017. The City of Marion received such a notice in 2021, requesting the **removal of 670 trees** (mainly established jacarandas and coral gums). Council has been actively negotiating with SAPN to retain these trees through an alternative commercial agreement. As yet, we have been unable to reach an agreement, however we are committed to continue working with SAPN and other stakeholders to reach an outcome that balances all our strategic objectives.

While Council is acutely aware of cost-of-living pressures, the community benefits of an increased canopy far outweigh the limited costs SAPN is seeking to recoup. It is also concerning that this issue creates a significant socio-economic bias. Residents in older suburbs of the Cities of Mitcham (canopy of 48.8%) and Burnside (canopy of 37.7%) enjoy established avenues of large trees, which SAPN continues to maintain, while there is no opportunity for residents of Marion and other councils without long-established large trees to develop the same due to power line restrictions. Opportunities to reduce restrictions by moving powerlines underground are prohibitively expensive, costing about \$3,000 per metre with very limited funding available through the State Government's Power Line Environment Committee.

The current Regulations do not recognise the critical need to grow our urban canopy to mitigate the impacts of climate change, particularly in built-up areas and for vulnerable members of the community. The Regulations also empower SAPN, a profit-driven private enterprise, to exercise a very strong suppressive influence on tree canopy on public land.

The City of Marion has raised this issue to the Greater Adelaide Regional Organisation of Councils at the Annual General Meeting (AGM) of the Local Government Association. At the AGM it received support that:

The LGA Secretariat would undertake the following activities:


- a) *the LGA writes to the Minister for Energy and Mining and the Minister for Climate, Environment and Water about the barrier imposed by the Electricity (Principles of Vegetation Clearance) Regulations 2021 to the State Government in achieving its urban greening agenda; and*
- b) *the LGA continues its current advocacy through existing channels with SAPN and Green Adelaide and takes advantage of other potential avenues which may arise, to support these changes to the Regulations.*

The City of Marion acknowledges we are situated on the traditional lands of the Kaurna people and recognises the Kaurna people as the traditional custodians of the land.

Would your government please consider amending the Regulations to prioritise the retention and planting of street trees? You can imagine the implications if SAPN takes legal action for thousands of street trees to be removed across Adelaide.

We can work with the State Government and SAPN on this important matter. I **attach** a more detailed briefing paper prepared by Council staff for your reference.

Yours sincerely


Kris Hanna
Mayor, City of Marion

Enc.1.

cc: Peter Malinauskas MP
Geoff Brock MP
Mayor Dean Johnson

The City of Marion acknowledges we are situated on the traditional lands of the Kaurna people and recognises the Kaurna people as the traditional custodians of the land.

BRIEFING NOTE

SUBJECT: SA Power Networks request to remove non-compliant trees

KEY POINTS

- In March 2021, SA Power Networks (SAPN) issued a notice requesting City of Marion remove 670 trees that it assessed as non-compliant under the *Electricity (Principles of Vegetation Clearance) Regulations 2021*. Council investigations revealed many of the species identifications or planting dates were incorrect and Council has disputed whether they are non-compliant. However, we agree that 474 of the trees are non-compliant.
- It is understood that several other councils have received non-compliance notices and there are likely to be several thousand trees impacted across greater Adelaide. SAPN has advised that its surveys have identified Marion as having the largest number of non-compliant trees to date and that it is focused on initially resolving the issue at Marion with the intention of replicating the approach finalized with Marion to other metropolitan councils.
- The non-compliant trees in question at Marion are mainly jacarandas (*Jacaranda mimosifolia*) and coral gums (*Eucalyptus torquata*) planted since 2018 as part of major streetscape upgrade projects and in response to the canopy target within the 30 Year Plan for Greater Adelaide. The trees were generally planted due to the failure of previous plantings and following many years of SAPN tolerating non-approved species being planted under power lines.
- These trees are now well-established and too large for relocation to be feasible.
- Council has held discussions with SAPN in the hope of retaining the trees in question by paying SAPN to prune the trees in a way that will minimize risk while maintaining the beneficial attributes of the trees.
- No agreement has been reached to date due to SAPN insisting on very large clearance envelopes (1-2m) that would significantly limit the benefit of the trees, disagreement over the planting date from which non-compliant trees would be covered by an agreement, and the lack of SAPN recognition that growing canopy cover is critical to the mitigation of the Urban Heat Island effect and safety for Marion residents.
- In the event that SAPN and Council are unable to reach an agreement to retain the trees and Marion declines to remove the trees, SAPN may remove the trees itself and seek to recover the costs from Council.
- It is likely that any tree removals would provoke a negative community response, particularly if they occur en masse (noting that some of the sites in question may involve removal of all trees in a street).

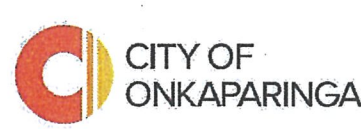
BACKGROUND

Following the breakup and privatization of the former Electricity Trust of South Australia in 1998, the distribution arm was constituted as SA Power Networks (SAPN), a monopoly entity which owns and operates all domestic electricity distribution infrastructure. SAPN is owned by Hong Kong based Cheung Kong Infrastructure Holdings (51%) and the Spark Infrastructure (49%). Following the acquisition of Spark Infrastructure by a consortium of American and Canadian investors in 2021, SAPN is 100% foreign owned.

SAPN's operations are governed by the *Electricity Act 1996* (the Act), the *Electricity (General) Regulations 2012* and the *Electricity (Principles of Vegetation Clearance) Regulations 2021* (the Regulations). SAPN has a legislated responsibility to maintain its infrastructure and is subject to regulation from the Australian Electricity Regulator (AER). The AER must approve the transmission costs SAPN can charge electricity retailers and has the power to issue fines for service



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disruptions and any damage caused by failure of SAPN infrastructure, such as bushfires caused by downed power lines. Under the Act and Regulations, SAPN bears responsibility for maintaining vegetation clearances from powerlines.

Clearing vegetation is a major operational expense for SAPN. SAPN has advised that clearing vegetation in non-bushfire zones, (i.e. built-up areas in the Adelaide metropolitan area and townships in other parts of the state) costs ca. \$8M per annum, representing 20% of their vegetation management costs. SAPN is actively seeking to reduce this cost, partly in response to pressure from the state and Commonwealth governments to lower electricity prices.

Recognizing the need to limit both risk and vegetation clearance expenses, the Regulations limit the vegetation that can be planted or nurtured underneath power lines. A list of Permitted Species which can be planted in non-bushfire areas is maintained by the Office of the Technical Regulator (a statutory office under the Act responsible for monitoring and regulating the safety, compliance and technical standards for electricity network infrastructure). The list of permitted vegetation includes 272 tree species that have been selected because they are considered unlikely to grow to powerline height. Most trees on the Permitted Species List are not considered practical for verge plantings due to unsuitable form, lack of availability, poor performance, nuisance issues and public preference. Additionally, there is minimal overlap with an analogous list of species that can be planted in the vicinity of water and wastewater pipes, creating a very restricted species palette available for verge plantings. Many trees characteristic of Adelaide, including jacaranda, white cedar, London plane, Queensland brush-box and claret ash are not on the Permitted Species list.

To maintain line clearance, SAPN contractors undertake scoping of each local government area on a 3-yearly basis and undertake pruning as necessary. For several years, SAPN had a relaxed approach to the enforcement of the Permitted Species list and undertook pruning of non-compliant species at their own cost. In 2018, SAPN notified Council and other councils that it will no longer accept any non-compliant plantings and that it would require any non-compliant trees planted since January 2017 to be removed or an exemption obtained from the OTR to retain those trees. Should Council fail to remove non-compliant trees, SAPN may remove trees itself and seek to recover the costs from Council.

Impacts on Marion's Urban Forest

In March 2021, SAPN provided a non-compliance notice requesting the removal of up to 670 street trees it assessed as potentially non-compliant under the Regulations on the basis that SAPN believes them to be species not listed on the Permitted Species List and were planted since 2017. Following receipt of this notice, Council has ensured it has planted no further non compliant species and removed 35 trees. Of the remaining, council believes up to 96 are compliant and has provided SAPN with evidence to support this. Council believes 474 trees may be non-compliant and has sought to negotiate an agreement whereby these trees may be retained. No agreement has been reached to date.

The effects that SAPN's current position will have on Marion's public urban forest are profound because in addition to the immediate removal of trees requested by SAPN, as non-compliant trees die or exceed their useful life and are removed, they must be replaced with compliant species. For example, any jacaranda, white cedar or Queensland box planted under a power line will need to be replaced with a compliant species such as a bottlebrush, ornamental pear or crepe myrtle. Compliant species are generally smaller, with shorter life expectancies, reducing the overall canopy benefit and increasing the overall costs of maintaining each planting as the most cost for is incurred to purchase, plant and eventually remove each tree. In effect, this means that residents will be forced to pay an increased amount to achieve a less extensive canopy. This also means that it will not be possible for Marion suburbs to reach the level of canopy cover of more established suburbs in other council areas, and unable to reach the targets in the 30-Year Plan for Greater Adelaide.

Exemptions

SAPN has recommended that if any council wishes to maintain non-compliant plantings, it should apply for an exemption from the Office of the Technical Regulator (OTR). Under the Regulations, a mechanism exists for the OTR to grant an exemption to the Regulations and allow non-compliant species to be planted underneath power lines. The



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exemption requires Council to agree to a Vegetation Clearance Scheme (VCS) with SAPN. A VCS would specify how responsibility for maintaining line clearances would be apportioned and resourced. Practically, this would require Council to pay SAPN to prune non-compliant trees in a manner agreed by both parties. In November 2021, the Local Government Mutual Liability Scheme (MLS) provided legal advice that should Council agree to a VCS, it may become liable for damages or penalties incurred by SAPN (e.g. if a tree were to fall on a powerline causing an outage). In August 2022, the MLS provided further advice that entering into a VCS could:

“expose Council to the liability risk associated with vegetation near powerlines, including civil liability (compensation) to all persons who suffer loss as a result of a failure to undertake vegetation clearance as required – and to pay regulatory penalties and fines (statutory liability, not civil) for interruption to electricity supply”.

The MLS considers the civil liability risk that Council could assume by entering into a VCS to not be prudent and has advised that it may decline any claim made to the MLS. For this reason, Council has declined SAPN’s suggestion to negotiate a VCS.

Council has discussed with SAPN the possibility of creating an alternative commercial agreement, whereby Council would pay SAPN to assume responsibility for pruning specified non-compliant trees, but that all liability associated with such activity would continue to rest with SAPN. Negotiations have been protracted and no agreement has yet been reached. Key sticking points include:

- SAPN insistence of clearances of up to 2m below power lines, with no tolerance for any part of the tree to grow above this height, decreasing life expectancy and substantially limiting the benefit those trees would provide;
- Disagreement on the date from which non-compliant plantings would be impacted by any agreement. Legally, SAPN can request or directly remove non-compliant trees planted since the Regulations were enacted in 1988. However, SAPN (and its predecessor, the Electricity Trust of South Australia) tolerated non-compliant plantings for many years. There is disagreement on when SAPN gave formal notice to Councils that non-compliant trees would no longer be tolerated (SAPN asserts this occurred in January 2017 and published a *Powerline Friendly Trees* document in 2018, but Council has been unable to locate any formal notification prior to the non-compliance notice being issued in 2021)

An exemption in the Regulations exists for the *“replacement of vegetation in a stand or avenue of vegetation situated along a road”* providing that *“the vegetation is of the same species as that being replaced”*. The terms *avenue* and *stand* are not defined; however any stand or avenue must have been in place since November 1988 when this clause was gazetted. The City of Marion requested the Office of the Technical Regulator provide a definition of *avenue* and *stand* in January 2022 and in February proposed its own definitions:

Avenue: *a street or thoroughfare lined with trees planted at regular intervals on both sides.*

Stand: *a contiguous group of trees sharing similar characteristics. The stand may share characteristics such as species, age, size, arrangement, condition, or location – or some combination of these features. A stand may be linear (a row) or of any other shape/size.*

In June 2023, the OTR proposed its own definitions to a SAPN Working Group, but as of 12 July and despite repeated requests, has not circulated these outside SAPN committees or undertaken consultation with local government.

Undergrounding powerlines

There has been strong interest from local governments in undergrounding powerlines to reduce the hazard and visual detracting they provide, as well as decreasing conflict with vegetation. Undergrounding is expensive (ca. \$3,000 per

metre) and there is limited funding available to support this. The Power Line Environment Committee (PLEC) is established under the *Electricity Act 1996* and managed by the Essential Services Commission of South Australia on behalf of the Minister. PLEC receives funding of ca. \$10M per year for undergrounding projects from the State Government and SAPN, and invites proposals from councils and other landowners twice annually. Any proposals must include a council co-contribution (generally expected to be one-third of the total cost). In effect, this would mean that a council proposal to underground 1km of powerline would require a council contribution of \$1M and PLEC funding of \$2M. PLEC funding is oversubscribed and due to the competition for bids and high costs involved, undergrounding projects are usually reserved for high profile thoroughfares (e.g. main streets and other focal areas).

Undergrounding of powerlines has become routine in large-scale housing developments, however is usually undertaken at the developer's cost.

Broader context

There is currently strong public and political attention on canopy and urban forest management. Current government processes include a Parliamentary Inquiry into the Urban Forest, the Planning System Implementation Review and an Auditor General Inquiry into Council Canopy Targets. These processes have been spurred by aerial imagery and analysis company *Nearmap's* claim that Adelaide is losing 75,000 trees per year and subsequent work by the Conservation Council and University of Adelaide that has revealed Adelaide's tree protections are the weakest of any Australian capital city.

In 2022, Marion, together with 17 other councils contributed to a state government project to map the canopy of greater Adelaide using airborne LiDAR. The results from this project are slated to be released in the coming weeks and are widely expected to show substantial canopy decline from the last flyover study conducted in 2018/19, which showed the City of Marion's canopy was 15.01%, well below that of metropolitan Adelaide (23.37%) and the widely-accepted target of 30%.



**Government of
South Australia**



Item No: 15.2

Subject: SEA TO SHORE GLENELG SEAFOOD FESTIVAL 2023

Summary

The Sea to Shore Glenelg Seafood Festival was held for the second time on 28 October 2023. Total attendance at the event was 22,000 across the daytime foreshore event and evening street party.

Recommendation

That Council notes this report.

Background

Following the successful inaugural Sea to Shore event in 2022, at their meeting on 14 February 2023, Council endorsed the following motion:

Motion

C140223/7340

That Council:

1. *Notes this report; and*
2. *Considers that the Sea to Shore Glenelg Seafood Festival become an annual event subject to the endorsement of the 2023-24 Annual Business Plan and budget.*

The budget for the 2023 Sea to Shore event was approved by Council at their meeting on 11 April 2023, as part of the 2023-24 event budget (C110423/7406). Council's budget allocation of \$50,000 was matched by a \$50,000 contribution from the Jetty Road Mainstreet Committee.

As in 2022, the 2023 event was held on the last Saturday in October (28 October 2023).

Report

The purpose of the Sea to Shore event is to position Glenelg as Adelaide's premier seaside dining destination, with top chefs and seafood producers showcasing South Australian produce all in one place. As well as being a key destination marketing initiative, it presents the opportunity for traders to activate the Jetty Road Mainstreet precinct for both direct and indirect economic benefit.

The key target audience for the event is adults 25-60 years old who are medium to high income earners willing to pay for unique experiences. While it is intended to be accessible to

families, the event does not include child-focused activities or play zones (unlike the Glenelg Ice Cream Festival, which intentionally targets a child/family audience).

The event comprises a number of interlinked components:

- **Foreshore experience:** A curated offering developed in collaboration with a top chef, showcasing South Australian seafood producers. This is accompanied by a premium bar offering. The following traders participated in 2023: Angler, Comida, Fishbank Bar and Grill, Local Kitchen Co, Oyster Bar, Ragi's, Soi 38, Squid Squad each offered a small and large dish option; Gelista offered a dessert option; and 2KW returned as the main bar operator for the event.
- **Moseley Square:** Food, drinks and live music from 2pm, designed as a link between the Foreshore experience and the Jetty Road street party.
- **Street Party:** Jetty Road Glenelg was closed and licensed from Moseley Square to Chapel Plaza. Traders were encouraged to pop up out in front of their stores to create a piazza-style atmosphere. The Street Party saw a total of 15 traders in Moseley Square and Jetty Road, Glenelg; this included 13 Jetty Road Mainstreet traders and two external traders.

The foreshore saw 6,090 patrons, with a peak attendance at any one time of 600. In addition, a total of 16,000 people attended the Street Party, bringing total attendance for the day to 22,000.

As destination marketing is a key focus for this event, a PR agency was engaged to ensure maximum media impact across a range of platforms. The total media value of coverage across event listings, online publications, print, TV and radio was estimated at \$152,800, from an investment of \$4,000 which was included in the event's marketing budget.

According to Spendmapp data, *Total Local Spend* on the day of Sea to Shore was \$4.7 million, the highest spend on a single day since April 2023. Spend was also significantly higher than the day of the 2022 event (\$3.5 million) and the 2021 Ice Cream Festival (\$4.2 million), which were all held on the last Saturday of October. Analysis by product category shows that a spend increase was seen across general retail and not just dining and entertainment.

Future Improvements

Although attendance at the Foreshore exceeded the 2022 figures, the street party attendance was more modest. The Sea to Shore event coincided with the Harvest Rock Festival, held in the CBD and could be cited as a potential contributing factor to attendance numbers, given the events overlap the target audiences. The dates of the 2023 Harvest Rock festival were not known until after the date of Sea to Shore was confirmed and fixed; Administration will seek to work with the organisers to avoid the two events coinciding in future.

Following a review of the design of the event in its first two years, opportunities have been identified to:

- Consider the street party format and connection to the foreshore.
- Investigate options for income generation to continue to grow the event.

Budget

Event delivery costs totalled \$105,000, offset by approximately \$4,000 of income (site fees from external traders and a percentage of bar revenue from the foreshore), leading to a net cost of approx. \$101,000 for the 2023 event. JRMC contributed \$50,000 to the event, with the remaining \$51,000 coming from Council's events budget.

Life Cycle Costs

The budget allocation for this event in future years will be presented for approval as part of the annual events planning process.

Strategic Plan

Innovation: economic and social vibrancy in a thriving environment

Council Policy

City of Holdfast Bay Events Strategy 2021-2025

Statutory Provisions

Not applicable

Written By: Manager, City Activation

General Manager: Community and Business, Ms M Lock

Item No: 15.3**Subject:** NAMING OF NEW ROADS

Summary

This report seeks Council's authorisation to nominate names for two new roads currently under construction as part of a new residential estate located on Sturt Road at Brighton. The community will then be consulted on the suggested road names in accordance with Council's Naming of Public Places Policy, with a subsequent report brought back to Council to consider the outcomes of the consultation process prior to ratification of the road names.

Recommendation

That Council:

- 1. authorises the undertaking of community consultation in accordance with the City of Holdfast Bay's Naming of Public Spaces Policy, on the suggested names of Corymbia Drive and Citronella Lane for two new public roads currently under construction on land located at 28 Sturt Road, Brighton, as provided in Attachment 1 to this report.**
 - 2. is provided with the results of the community consultation process for consideration prior to the ratification of the new road names.**
-

Background

At its meeting held on 26 October 2022, the City of Holdfast Bay Council Assessment Panel granted approval for a new residential estate comprising twenty-six allotments on a nine thousand square metre site located at 28 Sturt Road, Brighton. The new estate incorporated two new public roads, which would require the assignment of names at a later date by Council. At its meeting held on 14 November 2023, Council declined to endorse the developer's nominated names 'Le Cornu Drive' and 'Shirleys Lane' for the purpose of public consultation. Since that time, the land division has progressed to the point where Council can have further consideration to the matter. As an interim measure, the names Corymbia Drive and Citronella Lane have been assigned to not delay the creation of titles for the allotments. The developer is aware that these names could change depending on decisions of Council and the outcomes of public consultation on the matter.

Report

The new residential estate located at 28 Sturt Road, Brighton has reached a stage of construction where Council can now consider the assignment of names for the two new public roads that service the twenty-six allotments. In considering suitable names for the roads, Council is guided by its Naming of Public Places Policy. Notwithstanding that the development

is privately initiated, Council can apply its discretion to the selection of road names as these roads will become public assets upon the issue of titles for the land.

Council Administration has suggested names that are considered suitable given the circumstances of the land, and their adherence to the criteria under Council's Naming of Public Places Policy. This approach provides the community with two names for consideration, without limiting the public's ability to nominate altogether different names.

Road Name Suggestions

The suggested names put forward as part of this report are based on the flora associated with the land. These names 'Corymbia Drive' and 'Citronella Lane' are suggested in recognition of the remaining stand of significant trees located along the north-eastern and eastern boundary of the new residential estate. The trees were planted between 1920 and 1935, and are predominantly comprised of Lemon Scented Gums, otherwise known by their biological name Corymbia. The trees are also notable for their citronella oil. The road names suggested represent the attributes of a species of tree currently found on the land. The suggestions meet the criteria of the Naming of Public Places Policy, but also offer names that are currently not attributable to roads in Holdfast Bay.

Refer Attachment 1

Community Consultation

The Naming of Public Places Policy requires that the naming of public places, including roads, occurs in consultation with the community. As per Council's most recent community engagement process relating to the naming of a public place, it is considered appropriate to consult the community with the suggestion of a name or set of names, providing rationale for the selections, without limiting the public's ability to make their own suggestions, or to challenge the names on offer.

Budget

The cost of community consultation will be covered by the assessment fees received for the development application. The costs associated with formalising and declaring the road names through the Land Services Group and Land Titles Office will be borne by the developer as part of statutory fees associated with the land division.

Life Cycle Costs

Not applicable

Strategic Plan

Holdfast 2050+ Vision: Protecting our heritage and beautiful coast.

Council Policy

Naming of Public Places Policy

Statutory Provisions

Local Government Act 1999

Written By: Manager Development Services

General Manager: Strategy and Corporate, Ms S Wachtel

Attachment 1



These names are suggested in recognition of the remaining stand of significant trees located along the north-eastern and eastern boundary of the new residential estate. The trees were planted between 1920 and 1935, and are predominantly comprised of Lemon Scented Gums, otherwise known by their biological name *Corymbia*. The trees are also notable for their citronella oil.

Item No: 15.4

Subject: 2023 MAWSON OVAL REFERENCE GROUP ANNUAL REPORT

Summary

This report provides an annual update on matters considered by the Mawson Oval Management Committee in the preceding 12 months (2023).

Recommendation

That Council notes the report.

Background

Under Section 8 of the Agreement between the City of Holdfast Bay and The Catholic Church Endowment Society Incorporated executed on 16 February 2004, a Management Committee has been created to monitor the performances of both Parties.

Section 8.7 requires for the Management Committee to, on at least one occasion in each year during the term of the agreement, provide a report concerning the matters considered by the Management Committee in the year immediately preceding.

Following the formation of the Reference Group in 2022, this continued through 2023, which included:

- Two Elected Member representatives: Councillor Snewin and Councillor Fleming, with Councillor Snewin nominated as Chair.
- Council Administration support provided by Ms Marnie Lock, General Manager, Community and Business.
- Representing McAuley School: Ms Lisa McCormack, Acting Principal and School Board representative Ms Cherise Round, McAuley School Board Chair.

The group continues to meet a minimum two times per year, alternating locations between the Council and school offices, in line with the Terms of Reference (ToR).

Refer Attachment 1

Both parties have demonstrated positive engagement and acknowledged the importance of the close collaboration, agreeing that joint community statements would provide consistent, clear and united messaging, to inform and educate community stakeholders which includes parents, ratepayers and Mawson Oval user groups.

Report

During the year, the Committee considered and worked through a number of items as follows:

Shared Use Agreement

Discussion regarding shared use of Mawson Oval with third parties such as the Warradale Cricket Club continued with these relationships monitored by both parties and assistance provided to manage these relationships when required and/or appropriate.

Traffic

Colton Avenue

Traffic concerns raised in 2022 continued to be a focus, examining efficiencies to benefit all stakeholders, especially around the 'kiss and drop' areas. At the Council meeting held 24 January 2023, the below motion was endorsed (C240123/7318):

Motion (C240123/7318)

That:

1. *Administration investigate the viability of restricting Colton Avenue to a single direction of traffic southbound, including consultation with the school, waste contractors, and surrounding residents including residents of Colton Avenue, Townsend Avenue, Murray Street, The Crescent (north of King Street) and Wattle Avenue (east of King George Avenue).*
2. *A report and results of the community consultation is to be returned to Council within six months.*

Following this endorsement, a local area traffic management study was conducted by Council with a concept design developed for community consultation. The results of the consultation reflected approximately 80% of affected residents saying 'no' to turning Colton Avenue one way. With these findings presented back to Council, Administration sought alternative options to alleviate the pressure around Colton Avenue, which included adjusting the 'kiss n drop' model while providing additional short-term parking. This option is currently being refined for consideration.

In addition, it was discussed and agreed that Council and the School would collaborate to produce shared educational and community safety (traffic specific) communications for parents and carers of young learners.

Koala Crossing King George Avenue

The safety of children crossing King George Avenue was discussed by the Committee. Subsequently Council resolved to construct a koala crossing on King George Avenue to improve student safety and provided a project budget of \$114,975 for its design and construction.

The design is now complete with works underway and construction to be finalised in the coming weeks.

Fencing

Boundary Fencing (Community Land)

Boundary fencing is a standing item on the agenda for each meeting to ensure any safety concerns that have been identified and raised and action taken are tabled and discussed. This ensures the fencing meets the needs of the both the school and community.

Playspace

McAuley School continues to report directly to Council any matters pertaining to playground maintenance via the School's WHS Coordinator. Council commissioned an independent playspace audit, which was completed in August 2023 with the previous inspection conducted in July 2022. Both audits were undertaken by Kidsafe, Child Accident Prevention Foundation of Australia and these audits have been shared directly with the School for reference.

Further to this, a surface material condition report was undertaken by Playtest, Playground Surface Testing which returned a good condition result.

Playspaces citywide have been reviewed based on industry benchmarks and renewal of assets is considered within Council's long-term financial plan. When determining playspace equipment renewal the following is considered: end-of-asset life and renewal timings forecast within the long-term financial plan; variety; play value in relation to the child's physical, mental, emotional and social development; accessibility to residents; and proximity to the playspace to residential properties is important.

McAuley School has acknowledged Council's responsiveness to any reports lodged with Council.

Budget

All expenditure is contained within existing operational budgets.

Life Cycle Costs

Renewal projects are contained within the long-term financial forecasts.

Strategic Plan

Wellbeing - Good health and economic success in an environment and a community that supports wellbeing.

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: General Manager, Community and Business

General Manager: Community and Business, Ms M Lock

Attachment 1



TERMS OF REFERENCE

MCAULEY COMMUNITY SCHOOL & CITY OF HOLDFAST BAY

REFERENCE GROUP

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1 BACKGROUND AND MISSION

1.1 Background

McAuley Community School and the City of Holdfast Bay recognise that by working together, the community of Holdfast Bay and the broader community will benefit from shared understandings and knowledge.

1.2 Scope

McAuley Community School & the City of Holdfast Bay will work together to engage and communicate to facilitate a greater understanding of projects, shared use of facilities and opportunities that directly develop the City as a welcoming, safe and active community.

2 GOALS

The goal is for the McAuley Community School and the City of Holdfast Bay to work together to improve community wellbeing for residents and visitors utilising open space and public realm.

3 OBJECTIVES

By working together the McAuley Community School and City of Holdfast Bay Reference Group will support the City of Holdfast Bay to:

- Engage stakeholders to support the ongoing development of the City as a welcoming, safe and active community.
- Engage stakeholders to create a healthy, creative and connected community.
- Engage stakeholders to connect the community with the City's natural environment.
- Engage stakeholders to support the creation of a diverse and resilient local economy.
- Engage stakeholders to support the development of a lively, safe community that celebrates its past to build for the future.

4 MEMBERSHIP

McAuley Community School and City of Holdfast Bay Reference group will consist of:

- Two Elected Members from the City of Holdfast Bay
- Up to two staff members from the City of Holdfast Bay
- Two Senior Representatives from McAuley Community School, to include the Principal or Principal's delegate and a representative from the School Board

The City of Holdfast Bay will Chair the meeting and be responsible for collating the agenda for each meeting.

4.1 Attendance Requirement

Where a member is unable to attend a meeting they may send an apology and/or a proxy.

4.2 Membership

The inaugural members from the City of Holdfast Bay are:

- the General Manager, Community and Business. Other staff will be invited to attend as appropriate.

6 MEETINGS OF MEMBERS

6.1 Frequency

Meetings will be held at least twice a year and thereafter the frequency will be assessed and will be scheduled as required.

Meetings can also be cancelled if there are no items to discuss as deemed by the chair.

6.2 Agenda

The Agenda will be circulated to working group members via the McAuley Community School prior to the meeting. Both McAuley Community School and the City of Holdfast Bay can contribute items for discussion to the agenda.

6.3 Record of Meetings

A record of each meeting will be made and circulated to each member of the Reference Group. They are for information only and do not constitute formal minutes and are not for public distribution.

7 COSTS

The costs of each meeting will be met by the City of Holdfast Bay.

The meetings will be held at the City of Holdfast Bay Civic Centre unless otherwise agreed.

8 WORKING GROUPS

From time to time the Reference Group may agree that a working group will be developed to support the work of the Reference Group.

9 REPORTING

From time to time the General Manager Community and Business may provide a report to Council on progress of the Reference Group.

Item No: 15.5

Subject: **LOCAL GOVERNMENT PARTICIPATION AND ELECTIONS REVIEW**

Summary

In late October 2023, the Minister for Local Government, Hon Geoff Brock MP, launched a review of Local Government Participation and Elections (the Participation Review) to enable all South Australians to provide feedback and ideas about how communities can better engage with their councils throughout councils' terms and at election time.

The State Government issued a discussion paper and the Local Government of South Australia (LGA) issued a consultation paper to assist in gathering input to the Participation Review. This report provides a discussion about the matters raised in those documents and outlines a suggested response to the LGA's engagement, which closes a month earlier than the State Government's.

Recommendation

That Council:

- 1. endorses, subject to any required amendments or the correction of typographical errors, the proposed response to be sent to the Local Government Association of South Australia in response to the review of Local Government Participation and Elections, as presented in Attachment 5; and**
 - 2. notes that a further report with a proposed response to the State Government engagement will be brought back to Council in February 2024.**
-

Background

In late October 2023, the Minister for Local Government, Hon Geoff Brock MP, launched a review of Local Government Participation and Elections (the Participation Review) to enable all South Australians to provide feedback and ideas about how communities can better engage with their councils throughout councils' terms and at election time. The supporting discussion paper is provided as Attachment 1.

Refer Attachment 1

The discussion paper puts forward a range of ideas such as compulsory voting, term limits for council members, removal of council wards and possible boundary changes where councils don't receive enough nominations at election time.

The consultation period for the Participation Review closes on 1 March 2024 and direct submissions are welcome from Council, individual elected members, staff and the general public. The Local Government Association of South Australia (the LGA) is also coordinating a

whole-of-sector response and has invited councils to provide input by 2 February 2024. The LGA's consultation paper is provided as Attachment 2.

Refer Attachment 2

Report

Broad discussion and feedback is being sought by the Minister to inform further consideration of what, if any, changes may be required to legislation and election processes to support enhanced participation in councils and council elections.

The scope of the Participation Review includes four key subjects:

1. Ways to better engage with, and participate in, council decision-making (including the contents of the Community Engagement Charter and ideas for more accessible council meetings).
2. encouraging greater numbers/more diverse candidates to run in council elections.
3. increasing voter turnout.
4. ensuring council elections are run efficiently and with the highest level of integrity.

1. Better Engagement and Participation

Community Engagement Charter

The Participation Review is being used as the consultation mechanism for changes related to community engagement stemming from the 2021 local government reforms (which have not yet been proclaimed for commencement). Specifically, these reforms related to the development and adoption of a 'Community Engagement Charter' (the Charter), which was to replace the many existing provisions within the *Local Government Act 1999* that direct community engagement activities.

In October 2021, The LGA released a draft Charter for consultation, to which Council responded. A copy of the LGA's proposed version of the Charter is included in the LGA's consultation paper (provided as Attachment 2)

Council's response to the 2021 consultation is provided as Attachment 3. Substantive changes have not been made to the Charter between since 2021.

Refer Attachment 3

To date, Council has supported the LGA's version of the Charter, as it takes a principles-based, rather than prescriptive, approach. Such an approach will allow councils to make decisions in the best interests of their communities by being able to scale engagements according to anticipated effects and apply methodologies appropriate to the subject matter. While the document itself could be further simplified, the proposed approach is nevertheless satisfactory.

One matter which is not likely to be up for discussion but is nevertheless worth flagging is consideration of what is currently categorised as 'mandatory' engagements. Many of the matters that are currently subject to mandatory processes are those that few people take an interest in. While they are serious and important matters (for example, strategic planning, annual business planning, establishing the basis of rating etc), they are generally complex in

nature and beyond the sphere of interest for most citizens. While engagement and participation in such matters should, in principle, be of interest to everyone, they typically are not. Engagement on such subjects should not be negated but it is questionable whether mandatory engagements result in a good use of resources. For many currently mandatory subjects, no matter how much effort is put into making them more accessible, it is doubtful they will be of interest to a broad-spectrum of citizens.

While most staff and elected members involved in public policy and administration would like to see increased engagement in civics across the board, people are generally more likely to be engaged when they can be involved in a decision, take an action or see a direct relationship between their involvement and an action occurring. Filling in surveys or responding to consultation documents (especially when they relate to what people perceive as matters of bureaucracy) generally attracts only those respondents who are already strongly interested in the topic. Unfortunately, that also typically means that the most strongly held, often most polarised views are disproportionately expressed.

To build interest in civic engagement and increase trust so that governments can be seen by citizens as partners, governments at every level need to shift to more participatory engagement. While local government is an ideal tier to experiment with participatory engagement, and Council did, in 2022, put forward a motion to the National General Assembly (refer Attachment 4) to trial participatory models including liquid democracy, making this shift is not simple. Participatory engagement requires a high level of openness and flexibility, few pre-conceptions, and a willingness by elected officials to share power (to varying degrees). As elected officials (at all tiers of government) bear the brunt of public opinion, it is easy to understand why participatory engagement is seen as risky, even when evidence shows that done well, it is less polarising and results in better decision-making. It also takes time and resources to do well, which is why it has been historically difficult to apply to mandatory, heavily prescribed or bureaucratic topics. Supporting a shift to more participatory engagement needs to be done with resources and via a partnership approach, rather than handed top-down as a legislative regime.

Refer Attachment 4

Adopting a Charter which is based on the principles of good quality engagement rather than prescribing specific tasks, will enable councils to effectively engage with their communities in ways and to levels that are appropriate for them, without creating unnecessary or inflexible cost burdens.

Council Meetings

The discussion paper posits that council meetings, in being open and public, are a chief tool of engagement. While the benefits of open and public decision-making are not disputed, observation is at the 'inform' end of engagement scales. Informing someone is a far cry from engaging them. Under present models of representative democracy, open and public meetings in their current form are necessary and valuable, but they have notable limitations in being a tool of engagement.

Notwithstanding these limitations, the discussion paper raises a number of questions regarding accessibility of meetings, particularly in relation to digital formats and meeting times.

Different areas and constituencies have different needs, and there are pros and cons to most options.

While livestreaming and/or recording council meetings can improve accessibility for some segments of communities, it may not increase engagement broadly while exposing elected members to the many risks of having an extensive digital presence. It is easy to reduce this matter to a simplistic, binary argument between access/transparency and being a Luddite, but the reality is much more nuanced.

There are genuine risks in having significant digital content of a personal nature such as face and voice online. While many people put such information into the public sphere voluntarily, there are nevertheless practical and ethical questions about whether this should be mandatory for people wanting to engage in public service. For some people, it may act as a barrier to participation, even if it does result in a larger number of members of the public viewing meetings than would attend a public gallery.

While we do not have the data formally recorded for meeting attendance in either the gallery or online during COVID, anecdotal evidence suggests that attendance at meetings is not impacted by the medium, so much as the content. For matters of interest to people, attendance rises. For the average meeting, staff found online meetings more convenient and more staff attended, but there seemed little difference for the public.

Regarding meeting times, some people will find meetings in business hours more convenient, others will prefer evenings. There is unlikely to be 'one size' that will automatically suit everyone, or even a clear majority across the whole state.

The question arises therefore, what is the problem to be solved by legislating these matters, and who is it a problem for? Are the benefits of standardisation sufficiently large for all, to offset potential problems created for some? Furthermore, is it necessary or substantially valuable for most to have the same terms, conditions or experiences? And lastly, could there be other ways of achieving the same results without legislating for a specific outcome?

In regards to livestreaming and/or recording council meetings, as with meeting times, the principle of 'the community should decide' should dictate what a particular elected body does in their local area, rather than legislation prescribing a 'one-size fits all' solution.

It is duly noted from the discussion regarding the Charter, that ascertaining what the community actually wants is not easy. Nevertheless, establishing an appropriate method to get that understanding is, in the long run, easier than living with an ill-fitting legislative regime.

It is therefore suggested that on the matter of livestreaming and/or recording of council meetings, the question be posed periodically (for example, once per term) within each community. It should be up to each council to determine the best method of ascertaining their community's desire for livestreaming and/or recording.

Regarding meeting times, this should be left to each Chamber to determine for themselves. If meetings are livestreamed or recorded, meeting times largely only impact those participating in the meeting – viewing can happen anytime. If a community is not interested in livestreaming and/or recording, then elected members can take into account the likelihood of needing to accommodate public attendance in deciding when to meet.

Supporting Council Members to engage

The discussion paper raises a number of questions and possible suggestions regarding what support should be provided to support council members to engage with communities. This includes the possibility of a specific allowance to support constituent work.

These are matters best addressed by elected members directly, however, one possible method of supporting elected members to engage would be to include community engagement in the suite of mandatory training. Training can ensure that all elected members understand the importance of community engagement, as well as how it can work, what their role is and what support is available to them from administration during engagements.

2. More Candidates, Greater Diversity

The discussion paper raises a number of matters for consideration intended to increase the number of candidates and encourage a greater diversity amongst those standing. This discussion paper notes that at the 2022 election, across the state, 17.3% of vacant positions were uncontested. At the City of Holdfast Bay, 23% of positions were uncontested.

The discussion paper looks at a number of operational matters such as allowances, meeting times, promotion and the nominations process. It also puts forward some structural matters such as whether or not wards help or hinder candidates to nominate, term limits and whether a lack of candidates should trigger a boundary reform process.

One matter which is not considered is whether more directive structural options would be worthwhile. It is not unusual for statutory bodies (for example, boards and committees) to have minimum criteria to ensure that a particular mix of skills or experiences are represented. While an overly prescriptive set of criteria would be contrary to current conventions (and breach the principle of harmonisation between tiers of government), key skills mixes or minimum representations (quotas) could be ways of assuring increased diversity and opening up the playing field for under-represented groups.

The discussion paper also does not consider the impact of trust, reputation and the views of state government on the attractiveness of standing for local government. Cost-cutting, resource-shifting and devaluing the sector through public criticism, rather than a partnership approach to problem-solving serve to increase pressure and de-value the sector as a whole.

Increasing Elected Member Allowances

The discussion paper raises the question of whether larger allowances may attract a greater and more diverse range of people to stand as candidates.

It is impossible to predict the motivations of thousands of people and it is likely that unless allowances were sufficient to entice or enable people to give up other things, choosing whether or not to stand as a candidate would rarely be motivated only by money itself.

It is expected that people weigh up a wide range of considerations when deciding whether to stand as a candidate. Making allowances attractive enough to be a singular motivator, may not attract the right calibre of candidates. A balance needs to be struck between adequately valuing the important roles of elected members and recognising that thresholds for

competence and performance of these are substantially different from remunerated roles in the general marketplace.

Flexibility in Council Meetings

The discussion paper asks a number of questions regarding electronic attendance at council meetings. It raises a number of challenges, including technological capability, governance issues, and community assurances of local representation.

Greater flexibility in elected members attending in person or electronically meets the principle of meeting local needs, rather than centralised dictates of minutiae via legislation. It should be a matter for each council to determine whether they wish to invest in the technology that facilitates electronic attendance and enable it for their members. For some councils, the gains of enabling electronic attendance will be significant. For others, the gains will be marginal but still worthwhile. For others still, there are no benefits perceived to electronic participation.

For those councils that do choose to enable electronic participation, they must ensure that the technology they use provides sufficient quality and appropriate tools to manage meetings effectively and meet all governance requirements. This is possible to achieve.

Regarding the issue raised that electronic attendance may dilute the assurance that council members are physically present in the local area for a good proportion of the time, it should be noted that this is not a requirement to stand as a candidate. “No special qualifications or experience is required to become a council member.... most people who can vote in local elections are also eligible to run as a candidate in them.... You must be on your council’s voters roll to be eligible to run in council elections” ¹ (with some exceptions, such as those relating to citizenship, criminal history and being a member, employee or candidate of other areas/tiers of government). While it may be ideal to be physically present in the community for most of the time, technology substantially reduces that from being a critical need to an ideal state.

Local Promotion

The discussion raises questions regarding whether councils should be more involved in local promotion of elections.

While council administrations work closely with elected members, it is nevertheless necessary to retain a distinction between public service delivery and political representation. Furthermore, during election periods, there are very strong controls put in place regarding the difference between council business and election activities. These are well established conventions to protect the principle that elections must be ‘even playing fields’, ie, current incumbents should not have an unfair advantage by virtue of their existing positions.

Requiring councils to fund, orchestrate or run election campaigns (whether relating to nominations or participation) would muddy, if not contradict, the above principles.

¹ <https://www.councilelections.sa.gov.au/nominate/becoming-a-candidate#eligibility>

Term Limits

Currently, there are no term limits for council members. Indeed, quite a number of existing and past elected members of the City of Holdfast Bay have faithfully served for many years and in some cases, multiple decades.

There is much to be said for the value of experience and dedication to public service. Arguments could also be made that freeing up positions for more frequent turnover might encourage fresh perspectives. Ultimately, success or failure relates less to time than it does to the competence of individuals (which it is noted, may come with time and experience).

As there are potentially strong arguments for and against time limits, a fair principle to apply would be to mimic the rules at state and federal levels, neither of which have term limits. Unless there has been research showing that having long-serving council elected members reduces the quality of decisions, there seems little reason to apply different rules than other tiers of government follow.

Training Requirements

The discussion paper questions whether training prior to candidates nominating would strengthen the quality of candidacies or create unnecessary barriers to participation.

The LGA consultation paper notes that the Victorian Government has introduced compulsory, online, one-hour training for all would-be candidates, though the training is non-graded and is valid for two years (the timeframe would only be useful in South Australia if a supplementary election occurred).

While some people may balk at the idea of completing an online course or attending training, being an elected representative is a difficult and important role. It is a role that is not simply about representing many differing view points, but being able to make sound decisions on behalf of a wide range of interests on very complex matters. Diversity is critical, but should not be pursued at the expense of competence. To wit, training should (1) adequately inform would-be candidates of expectations so they can make informed choices about what will be required of them, (2) be of a nature to inspire potential to bloom, not just demand existing experience, and (3) be delivered in a number of different methods/formats to suit a variety of learning styles, so as not to act as a barrier to entry. Barriers to entry must be limited to a person's ability to fulfill the needs of a role, not the process by which to attain it.

One matter the discussion paper does not raise but is mentioned in the LGA consultation paper is the matter of candidate screening. Given that elected members are in important positions of trust, it is considered that appropriate screening should be mandatory for would-be candidates, so that appropriate checks and disclosures can be made, for example, a 'working with children' screening.

Real-time Publishing of Nominations

The discussion paper explains process changes that were made to the publishing of nominations, which likely contributed to the large number of uncontested seats across the state.

While it may not be ideal for there to be an unequal distribution of candidates for seats, from a principles-based perspective, it is debatable whether this is a problem that needs to be solved, or whether it is an outcome of other structural issues (for example, wards).

The first principle is that there should be consistency between state/federal and local government election processes. To this end, it is appropriate that the candidate nomination process is managed by the Electoral Commission of South Australia (ECSA) in a harmonised way.

The second principle is that the 'playing field' for standing for council should be even for all candidates. At present, a candidate can run in a ward they do not live in, which under previous arrangements allowed candidates to 'ward shop' to maximise their chances of being elected. Even with ECSA administering the process, candidates may still choose to stand for a ward that they do not live in, but now they are ward-shopping blindly. One way to remove this issue would be to remove wards altogether, however it is noted that this was discussed and not supported during Council's previous Representation Review.

Another possible method for maintaining the benefits of wards (eg, enabling a reasonable management of workload) while negating the need to 'ward-shop' would be for elections to be to council as a whole, with ward responsibilities to be allocated/agreed to afterwards. This would likely require legislative change as it would fundamentally alter the underlying purpose of wards to date, but it could provide increased flexibility for councils to manage elected member workloads, improve the ability of elected members to consider the whole community, and enable people to be elected via a level playing field while maintaining harmonisation between tiers of government.

Removing Wards

The discussion paper explores the challenges created by ward structures, where elected members may have conflicts between the interests of the whole council area versus their immediate constituency.

It is noted that in Council's most recent Representation Review, the matter of wards was discussed extensively and maintaining the ward structure as it currently stands was supported.

Triggers for Boundary Reform

The discussion paper raises questions about what factors might influence people to stand for council elections and asks for ideas to increase nominations. The question is also raised as to whether significantly fewer nominations than vacancies should trigger a referral to the South Australian Boundaries Commission for consideration of boundary reform.

At the last general council election, all positions in the City of Holdfast Bay received a nomination. Nevertheless 23% were uncontested, which is higher than the state-wide rate.

Statistics from the 2022 general council election are not yet available, however at the 2018 election, the highest participation rate in the metropolitan area was the City of Holdfast Bay, with 34.3% of electors returning their ballot material.

It would be most unfortunate for a costly boundary reform process to be triggered based on only one condition not being met, particularly when that condition could be easily rectified.

General

Another more general observation is that while there are significant benefits to ECSA taking over council election processes, and this should continue, there is potentially some loss of locally-available assistance. Calling 'faceless bureaucrats' in the city to ask questions may be more daunting to potential candidates than being able to come into their local council office and speak to a person. In regional and rural areas, this would be even more pronounced.

It would be preferable for ECSA to improve its ability to interact directly with potential candidates to overcome these issues, rather than undermining neutrality principles by putting more responsibility back on council staff.

3. Increasing voter turnout

The discussion paper examines a number of matters relating to voter turnout, including whether it should be compulsory to vote in local government elections, the method of voting, who should be allowed to vote, timing of elections, promoting elections, the impacts of wards and candidate information. Each of these are addressed in turn.

Compulsory voting

Notwithstanding the relatively high voter turnout in the City of Holdfast Bay, the principle of harmonising election requirements between tiers of government holds true.

There are some concerns that the introduction of compulsory voting could lead to capture of the local government sector by political parties, as has happened in other states. However, this could be prevented through other mechanisms and is not inherently a direct result of compulsory voting. Controls could range from limitations on advertising (negating the need for party backing) through to more stringent limitations on candidates not being able to use party resources for electioneering.

There are only gains to be made by increasing the number of voters participating, but it is also critical to preserve the ability of unaffiliated, non-political candidates to run.

Method of voting

The discussion paper considers whether postal voting should be replaced with a requirement to attend a polling place. This would be inconsistent with the stated intent to increase voter turnout. If voting is not compulsory, it is considered less likely that people will turn up to a polling place rather than simply mark up a ballot and put it in the post. At the very best it will have a neutral impact with those inclined to vote still doing so, but this is unlikely.

If voting becomes compulsory, there seems little benefit to removing the ability to vote by post. While people are used to attending a polling place to vote in state and federal elections and referendums, there has been a significant increase in postal and early voting, which suggests that a polling place on one day is increasingly inconvenient. While compulsory voting would force people to attend, there may be a substantial amount of goodwill eroded.

Who can vote

At present, people who can vote in council elections are:

- residents in a council area who are on the state/federal electoral roll; and
- persons enrolled on the Council supplementary roll.

To be on the state/federal roll, a person must be:

- an Australian citizen, or a British subject who was enrolled on 25 January 1984 (South Australian electors are eligible to enrol and vote if they were a British subject enrolled between 26 October 1983 and 25 January 1984 inclusive);
- 18 years or older, and
- have live at their address for at least one month.

People may currently apply to enroll on council's supplementary roll if they are:

- a resident or a non-Australian citizen who has lived at their residential address for one month or more (though in practice, the requirement is longer than one month due to the timing of deadlines for enrolling to vote);
- an owner of an organisation or business;
- an owner of a holiday home;
- a sole owner, or group of owners, of a rateable property;
- a sole occupier, or group of occupiers, of a rateable property; or
- a landlord of rateable property.

In accordance with section 15(5a) of the *Local Government (Elections) Act 1999*, council must purge the council's supplementary roll on 1 January of every election year. Therefore, all landlords, organisations, business owners or occupiers, and resident non-Australian citizens, must re-enrol from January 1 of every election year to be eligible to vote.

While it is acknowledged that the principle of 'local people using local services having a say in local decision-making' holds true under current arrangements, the principle of harmonising election rules between tiers of government does not. It could be argued that setting a lower threshold for enrolment in local government elections de-values them and arguments regarding diversity are not relevant if they cannot be equally applied to state and federal elections. However, permanent residents and long-term holders of temporary visas are part of the Australian, state and local community and fostering inclusive and cohesive societies could be done by enabling all of society – including migrants who may not yet be eligible for citizenship – to become actively involved in civics. Furthermore, a tightening of franchise requirements may result in people who previously voted not being able to do so in future. If the existing franchise was to be maintained, it could be argued that state and federal requirements should be harmonised with local requirements.

Election Timing

The proposed idea that council elections should occur in a different year to State elections is considered sensible. As well as removing the potential for confusion, it would create less disruption/uncertainty and logistical issues for councils who may be juggling adjustments to

State priorities, grant opportunities, and election promises with Councils going into a caretaker period and/or working through budgets.

Promotion

If voting was compulsory, the need to spend funds on advertising elections would be greatly reduced.

It is inappropriate to expend council funds on political advertising.

Wards

The previous topic considered the relative merits of removing wards in relation to candidates standing. From the perspective of voting, wards have both pros and cons.

An inherent problem in the current system is that a candidate can be elected with numerically very few votes. While this is convenient for candidates, it creates a risk that they may be captured by niche interests, rather than meeting their obligations to make decisions in the best interests of the whole community.

Voting across council rather than wards would provide a greater number of choices for voters and would potentially require candidates to consider a broader spectrum of interests. However, in an election where there may be many candidates, voters could find themselves in a position of having to familiarise themselves with and rank a large number of candidates. This could create anything ranging from annoyance to a barrier to a participation.

An important principle that should be maintained, regardless of whether there are wards or not, is to ensure there is a level playing field for candidates. Therefore, if voters needed to consider a large number of candidates, it's important that the system has been designed for equity and equality, not convenience. For example, a long candidate list organised alphabetically is likely to advantage people with names closer to the start of the alphabet.

Candidate Information

The discussion paper raises a number of questions about the involvement of council in promulgating candidate information, as well as questions about the nature of information that should be required to be revealed.

At times, there can be a fine line between useful disclosure and prejudicial information. For example, while it may be useful to know that a potential candidate has passed a current check (at whatever level is deemed to be necessary), it may not be necessary to know about past matters that have been and gone (for example, time served with no recidivism).

On the matter of councils being involved in promulgating candidate information, the distinction between public service delivery and political representation should be protected. Promotion and advertising is best controlled and administered by independent authorities, who do not have potentially vested interests or conflicts of interest. While council assets such as buildings may be used to hold candidate information events, these should not be required to be organised by council.

The principles relevant to this matter are:

- harmonisation of requirements for tiers of government;
- the playing field must be kept level for all candidates, therefore the information required should be useful to inform decision-making (and easy to consume) but not be prejudicial, and
- neutrality of council administration.

4. Council elections

The final topic requests input on any additional matters arising from council elections. Specifically, these may be related to some of the recent local government reforms such as campaign donation return requirements, or any other practices identified by the Electoral Commissioner of the 2022 elections. Unfortunately, the Electoral Commissioner's report is yet to be released, so it is unknown what issues were identified during the last election process.

In regards to the local government reforms, while they did create chaos across the sector with some candidates failing to meet requirements and finding themselves out of office, this is not evidence of a fault in the system. While 46 council members fell foul of the provisions, 637 people complied and met requirements.

Response

This review covers a wide range of topics and there may be many suggested solutions to the problems posed. A diversity of voices and opinions is being welcomed by the State Government, and the online survey can be answered by both individuals and organisations.

Additionally, the LGA submission will be informed by *all* councils who respond, but will ultimately reflect a 'common denominator', which may at times not align with the views of individuals or council as a whole.

To enable all views to be fairly but efficiently represented, the following approach is proposed:

- a principles-based response has been drafted to the LGA, which is provided as Attachment 5 for Council's consideration and endorsement;
- a further response to the State Government engagement (which closes on 1 March 2024) will be developed and brought back for Council's consideration in February 2024; and
- Elected Members are encouraged to provide individual responses, directly via the State Government's online survey. Administration can provide support to individuals to complete the survey if required.

Refer Attachment 5

Budget

There are no budget implications arising from this report.

Life Cycle Costs

There are no known life-cycle costs associated with this report, at this time.

Strategic Plan

Our Holdfast 2050+ contains a number of objectives and aspirations relating to meaningful engagement with the community, both through actively targeting traditionally marginalised groups and working towards direct participation.

Council Policy

Community Consultation and Engagement Policy
Caretaker Period Policy
Election Signs Policy
Code of Practice Access to Meetings and Documents
Code of Practice – Meeting Procedures
Elected Members Allowances Support and Entitlement Benefits
Behavioural Standards for Council Members

Statutory Provisions

Local Government Act 1999
Local Government (Elections) Act 1999

Written By: Manager Strategy and Governance

General Manager: Strategy and Corporate, Ms S Wachtel

Attachment 1

Local Government Participation and Elections Review

Discussion Paper

October 2023



Government of South Australia
Department for Infrastructure
and Transport

**Build.
Move.
Connect.**

Disclaimer

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the Minister for Local Government, its agencies, instrumentalities, employees and contractors disclaim any and all liability to any person in respect to anything or the consequence of anything done or omitted to be done in reliance upon the whole or any part of this document.

We acknowledge the Traditional Custodians of the Country throughout South Australia and recognise their continuing connection to land and waters. We pay our respects to the diversity of cultures, significance of contributions and to Elders past, present and emerging.



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Minister's foreword



Nearly 35 years ago, I threw my hat in the ring and stood for election to my local council. And after 20 years as a council member—including six as Mayor—and 14 as a Member of Parliament, I can confidently say that this was one of the best decisions of my life.

I stood for council for the same reasons that many South Australians do; because I wanted to get involved in the local decisions that have such an impact on our day-to-day lives. It's a challenging role, but one that also has tremendous rewards. I can honestly say—and often do—that my time as a local elected member has been one of the best of my life.

I'm passionate about local government, local leadership, and local decision-making. That's why I am also passionate about encouraging every South Australian to get involved with their council—to have your say about council decisions and activities, and,

at election time, to make sure you have your say about who will represent you and make decisions on your behalf by voting.

I'm also passionate about making sure that we have as many South Australians as possible making the same decision that I did so many years ago—to turn my commitment to my community into a decision to run for council and put that commitment into action.

This discussion paper poses a number of questions about how we can improve participation in local government, both throughout councils' terms, and at election times.

It poses some bold ideas that might be challenging or even controversial. But I firmly believe that it is time for us to take real action to better connect people to their councils; to get serious about tackling the persistently low voter turnout that we see every four years at council election time, and to make sure that the future of local government is in the hands of the most diverse and capable local representatives that we can find.

I encourage everybody reading this paper to respond to the questions it poses. Let us know how we can build a future for South Australia where our councils represent and are supported by a local community that truly feels connected to their local government.

A handwritten signature in blue ink that reads "Brock".

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT

Introduction

Our local councils are often described as the sphere of government that is ‘closest to the people’. The services they provide are often those that touch our day-to-day lives most closely—the footpaths and roads we walk and drive on, the bins we put our rubbish in, the parks, gardens and ovals where we walk, exercise and play with our children, and our local libraries to name just a few.

Yet this involvement with our local services isn’t always reflected in close participation and engagement with our councils. While our local members are elected by the ratepayers and residents in their local areas, typically only around a third of voters choose to exercise their democratic right to vote for their council representatives. Councils can also struggle to have a good number of diverse candidates put their hand up to stand for election, to ensure that a local elected body has the best chance of representing and making the best decisions for its local community.

Over the past 20 years, the local government sector has been making increasingly large investments in promoting elections, both to encourage nominations, and to increase voter turnout. This participation is crucial, as elections establish the democratic foundations for the decisions that a council will make over a four-year term to spend ratepayers’ money on the services and facilities that the council decides its community can and wants to pay for.

Despite these investments, engagement with councils at election times has remained at consistently low rates. This discussion paper therefore tackles some fundamental questions, not only about how council elections should be run to improve the number and diversity of council members and increase voter turnout, but also how people engage with their council over the whole of a council term, so that when election time rolls around, they are interested and engaged with the future of their local council.

There are four key topics covered in this paper. They are:

1. How people engage and participate with their council;
2. How we can encourage greater numbers and more diverse candidates;
3. How we can increase voter turnout; and
4. How we can make sure that council elections are run efficiently, with the highest level of integrity.

For each of these topics, this discussion paper provides a brief snapshot of current requirements, and changes over time. Each section also puts forward some ideas for improvements—and we want to hear from you! Are these ideas good ones? If not, why not? What other ideas do you have to improve people’s engagement with councils—both at, and between, elections?

Topic 1: How people engage with their council

Community Engagement Charter

Councils continually engage with their communities on a range of critical decisions—their annual business plans and budgets, how council rates are set and collected, how parks and gardens and other council land should be used and managed, how a council's elected member body should be structured, and so on.

The *Local Government Act 1999* (the Act) requires all councils to have a public consultation policy in place. This policy must include some actions as a minimum—largely a requirement to consult for a minimum period of 21 days, to publish material on their website and in a newspaper, and to allow for submissions. The Act also requires councils to undertake more specific consultation on significant decisions, such as the requirement to hold an hour-long public meeting on its annual business plan and budget.

Principles of engagement

The Charter is underpinned by these engagement principles:

1. Members of the community should have reasonable, timely, meaningful and ongoing opportunities to gain access to information about proposed decisions, activities and processes of councils and to participate in relevant processes.
2. Information about issues should be in plain language, readily accessible and in a form that facilitates community participation.
3. Participation methods should seek to foster and encourage constructive dialogue, discussion and debate in relation to proposed decisions, activities and processes of councils.
4. Participation methods should be appropriate having regard to the significance and likely impact of proposed decisions, activities and processes.
5. Insofar as is reasonable, communities should be provided with information about how community views have been considered and reasons for actions and decisions of councils.

These principles are consistent with principles adopted by individual councils over many years. They are informed by the International Association for Public Participation (IAP2) Core Values.

These basic requirements have now been in place in the Act for more than 20 years, however, community and council expectations regarding consultation have changed. For example, many councils have moved towards more modern methods of communication and engagement—for instance, using social media to 'get the word out' rather than relying on ratepayers reading notices published in the back of a local newspaper, or undertaking more fit-for-purpose engagement methods such as 'drop in' events at council venues.

Yet while councils may wish to invest in more modern and effective engagement—and their communities may expect them to—they must still comply with two-decades-old statutory requirements.

Changes to the Act will replace these inflexible requirements with a 'Community Engagement Charter' (the Charter). Councils' community engagement policies must be consistent with the Charter and comply with its requirements. These changes will commence when a Charter has been developed—which needs your input!

A flexible or prescriptive approach?

There is broad scope to create a Charter that reflects community and councils' views on how it should direct council's community engagement.

For example, the Charter could specify mandatory requirements that largely replicate the current requirements contained within the Act. Councils would then be required to undertake 'engagement tasks' as the Charter instructs them—for example, to release information online for a specific period of time; or to publish material elsewhere in a particular way. However, placing these requirements on councils may not support councils to invest in community engagement in a way that they feel best meets their community's particular needs.

Another option would be for the Charter to set out a range of general principles or performance outcomes then enable the specifics of each councils' community engagement to be determined in its own community engagement policy. With this approach, there might be concerns in the community that not all councils would engage in a similar way or might not engage to the level that a community may like to see.

The Charter could also be a mixture of these approaches. For example, it could contain more specific requirements for significant council decisions that affect the whole council area, but also allow for a more flexible approach for more localised matters.

While the public consultation requirements have traditionally covered the method of engagement (e.g., minimum consultation periods and publishing requirements), the Charter could also cover the type of information that should be made available during community engagement, or how public consultation feedback should be considered. This approach may fulfil the principle that engagement should encourage constructive dialogue and discussion.

A Charter might include that a council should provide information in a form that is appropriate for the council's community to engage with and make a submission on. Councils could then determine what this information looks like in their community engagement policies.

The intent of the change to a Charter is to enable councils to take a more fit-for-purpose approach to public consultation, taking into account the significance of the matter under consideration, the needs of their local community, and the advantages of new technology. It should also bolster community confidence that their council will engage with them properly on the decisions and actions that affect them.

To achieve this aim, the Charter may:

- include categories of consultation;
- specify mandatory requirements or set out more general principles and performance outcomes related to engagement, for each category;
- provide guidance on specific measures or techniques to achieve outcomes; and
- set out measures to evaluate how outcomes have been achieved, or to what degree.

And, of course, there will be mandatory public consultation on both the Charter and the related council community engagement policies.

One proposal is that the Charter set some minimum standards for more significant council tasks, such as the annual business plan and budget, but largely focus on a 'principles-based approach' to allow councils to determine the exact activities they will undertake to best engage with their communities on their business under their own policies. Another approach could be for the Charter to more specifically dictate exactly what activities councils must undertake to consult on particular matters and decisions, more like the current legislative requirements.

Of course, the Charter will not preclude councils from undertaking non-statutory consultation, which councils may choose to include in their community engagement policies.

Ideas and questions

- What requirements should be set for councils' community engagement for what decisions?
- What should be included in the Charter and what should be left for councils' own community engagement policies?
- Should councils have the capacity to determine how they will engage with their communities, or should the Charter be more directive in its approach?
- What other ideas do you have for councils' community engagement?
- How would you like to see councils engage with you?
- What are the types of information you would like to see councils include when they engage with you?

Council meetings

While community engagement on council decisions is a critical part of councils' business, councils also have other opportunities to engage their communities. Chief amongst these tools is council meetings, which are open, public meetings where all community members should have the opportunity to view council debates and decisions.

Traditionally, council meetings have been held in the council's chambers, with a gallery open to those who wish to spectate. The COVID-19 public health emergency, however, accelerated an increase in people's desire to watch council meetings at home, either at the meeting time or at a time of their own choosing. There is also an increasing need for councils to ensure the safety of people attending council meetings in person, particularly when contentious or highly debated matters are being discussed.

Many councils have met this demand by livestreaming their meetings, or by making recordings available after the meeting.

Ideas and questions

- Should councils be required to livestream their meetings, and make recordings available?
- All metropolitan councils hold their council meetings during the evenings, but councils in regional areas often hold their meetings during business hours. Should councils be required to hold their meetings at a particular time to maximise community participation?

Support council members to engage with communities

Council members are elected to represent their communities. However, many people do not realise that their local elected members are available to speak to about their concerns and priorities and to advocate on their behalf. Instead, people will contact their council administration directly, which can lead to a sense of frustration that they are not being heard, or that their concerns are not being acted on.

Members themselves may not feel empowered or supported to engage with community members, particularly if this is presented as engaging with operational rather than strategic council matters. Additionally, it can be difficult for members to spend time with their community, particularly if they are also busy with work and other life matters.

This can result in a lack of understanding that council members are elected to make decisions on their community's behalf and can also cause a sense of disconnection between citizens and their councils. Conversely, supporting stronger engagement between council members and constituents can increase engagement with local matters and decisions.

Ideas and questions

- How should members be supported to engage directly with their communities?
- Should all council members be provided with a specific allowance to support constituent work, similar to the allowance that is provided to Members of Parliament?
- What other ideas do you have to strengthen the relationship between council members and their local community members?

Topic 2: How can we encourage a greater number of more diverse candidates?

Every four years, elections are held so that local communities can decide who should represent them and make decisions on their behalf about the services and facilities that are provided in their local area. These elections are the foundation of local government—as is the case with state and federal elections, communities exercising their choice on their representation is what makes councils governments in their own right.

For these elections to truly deliver this democratic foundation of councils, community members should be choosing who they vote for from as wide a selection of candidates as possible. Councils that reflect the diversity of their communities are better able to make decisions for, and provide services to, these communities.

However, council elections often struggle to attract enough candidates to fill all vacancies, let alone a wide range of candidates. For example, at the 2022 council elections, 683 positions needed to be filled, but 93 of these positions were filled without an election being held. The voters in these elections had no opportunity to exercise their democratic right to vote for their local representation. Additionally, some positions—including two mayoral positions—did not receive enough nominations, meaning that nine supplementary elections were then needed to fill these roles.

There is also a strong perception that councils are dominated by older people, usually men. Female representation has increased enormously in recent decades, but it is true that candidates for council continue to be dominated by older people.

While the commitment of every person who puts their hand up to stand for council should be acknowledged and appreciated, a more varied range of candidates would better reflect our increasingly diverse community.

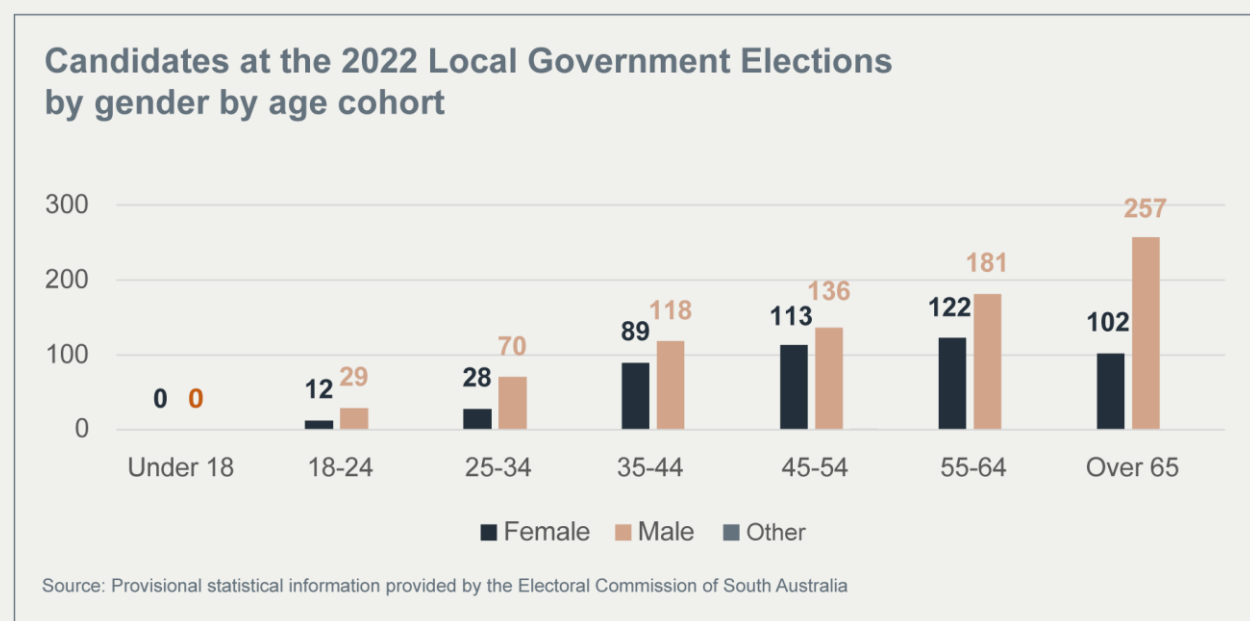
Ideas and questions

Many people choose to stand for their council as they have a real commitment to their local community and want to ‘make a difference’ by being part of the decision-making body that determines the vitality and sustainability of their local area. However, there would be many community-minded people who already commit many hours to community service but would not consider running in a council election. Why is this? Some ideas to tackle this issue are included below.

2022 periodic council elections—provisional statistics

Provisional statistical information provided by the Electoral Commission of South Australia shows that at the 2022 periodic council elections, elections were held for 565 of a possible 683 (82.7%) vacant positions. This was the lowest proportion of elections held for vacant positions since 2006. Related to this, nine supplementary elections were held following the 2022 periodic council elections, which was the highest number required since, at least, the elections held in 2000. Both statistics point to a drop in the number of candidates nominating, with a record number of positions receiving no nominations.

Of 791 male candidates, over a half (438, or 55.4%) were aged over 55 years.



Both the number and proportion of female candidates have continued to increase, with a record 466 females (37%) nominating for election. Of 466 female candidates, 224 (48%) were aged over 55 years.

Of all 1258 candidates, 1043 (82.9%) were born in Australia. The next largest group by birth was the United Kingdom (78, or 6.2%), followed by India (42, or 3.3%).

While the total number of nominations declined at the 2022 Local Government elections, the long-term trend has seen an increase in people nominating for election, particularly amongst women. From the 2000 council elections until 2014, women consistently made up between 25% and 29% of nominees. At the 2022 council elections, the number of women nominating reached an all-time high, with women representing 37% of all nominees.

Increase council members' allowances

Most council members receive a small independently determined annual allowance of between \$7,192 and \$25,838, depending on the council. Mayors receive an allowance four times more than the councillors of their council. The City of Adelaide is an exception to this: council members' allowance is \$28,692, and the Lord Mayor's allowance is \$195,851.

These allowances are not intended to be remuneration or a salary, as is the case for Members of Parliament. This often results in council members performing their roles in addition to paid employment or other income, or—as is often the case—being retired.

Would more, and a more diverse range of, people be attracted to the role if allowances were increased?

Make council meetings more flexible

Are there elements of council business that might put people off nominating?

For example, if a council meets during business hours, does that prevent people from standing for council if they are in the workforce or have family or other responsibilities? Or does it enable others, who may not be able to attend evening meetings, to run for council?

Currently, council members are required to attend council meetings in person. Enabling members to attend meetings electronically may also provide the flexibility that is needed to encourage a wider range of people to nominate for council. However, this should also be considered in the context of additional matters, including:

- Challenges that can arise when a meeting is held with some members in the room, and some are on screen, which can make meeting discussion and management difficult.
- The need to ensure that important integrity matters are properly managed, such as members not participating where they have a conflict of interest in a matter or ensuring that sensitive matters are discussed in confidence.
- Providing an assurance to communities that their council members are physically present in their local area, for at least a good proportion of time. If members are able to attend meetings electronically, there may be no guarantee that they are in the local area at any time.

Should council members be able to attend some council meetings electronically?

More local promotion

Local government invests in raising the profile of councils and council elections shortly before elections to increase awareness of and interest in, nominating for elections.

Close to each council election, the Local Government Association of South Australia (LGA) runs a campaign on the sector's behalf to generate awareness of the upcoming elections, and to encourage interest in standing.

This approach has the benefit of providing a statewide, funded campaign, but may also mean that promotion on a local level doesn't necessarily reflect what is going on in each council area, or the local issues. It may also mean that people don't draw a strong connection between a wider, consistent campaign and their own local area and council.

Are there other efforts that councils could make to increase interest in standing over a council term, for example, by working with ratepayer or other community organisations?

Would councils get a better local result if they make greater investments in local promotion and initiatives, particularly ahead of election periods?

Term limits for council members

Council members have no limit to the terms that they can serve on council—it's not unusual for council members to serve for 20, 30, or even 40 years. While this commitment is commended, limiting council members to a maximum of two or three terms may 'open up' vacancies to a wider range of candidates, who may otherwise be dissuaded by having to run against a long-established incumbent member. Limiting council members to a maximum of two or three terms may also allow for fresh ideas and perspectives to be brought in by new candidates.

Should term limits for council members be introduced?

Required training for candidates

A question that is increasingly being asked is whether people considering nominating for council should be required to undertake some kind of formal or informal training, such as a short online course, before they nominate.

This might ensure that potential candidates better understand a council member's role before they put the time and energy into running, and also maximise the chances of a person being really committed before they stand and are potentially elected. It may also reassure people considering standing that if they are elected, they will be joining a group of people who all have sufficient commitment to the role to complete this training.

However, requiring some form of training might also put people, who would potentially make great elected members, off standing. Should people be required to complete an online course before nominating?

What forms of training could both benefit candidates and generate more community confidence in the people that are standing for election?

Consider real-time publishing of nominations

Historically, candidates have deposited their nomination with the council, who would forward it to the Electoral Commission of South Australia (ECSA) for lodgement. Councils were then required to display names of people who had successfully nominated for election on the noticeboard in their principal office once notified by ECSA.

Following requests from councils, changes were made ahead of the 2022 periodic council elections that removed councils' role in displaying candidate details in council offices.

ECSA then managed the nominations as it does for State elections by receiving and publishing all of them online at the close of nominations—this is also the case for federal elections, as managed by the Australian Electoral Commissioner. This harmonised the nomination process for all three spheres of government, and also responded to concerns that some candidates were 'ward shopping', that is, withdrawing their nomination for a contested election to re-nominate for another, uncontested ward after reviewing nominations displayed at the council.

However, some councils reported that not publishing nominations at council offices meant that potential candidates did not know that not enough nominations had been received to fill all council positions, and—if local people had known that only two or three people, or no-one had nominated—they otherwise may have put their hand up to stand.

There is also a view, though, that the publication of these details encourages people to stand for reasons that may not be considered the best reasons—for example, because they know that they will not have to run in a contested election—rather than simply because they wish to contribute to improving their local community.

Should councils have a role in the nomination process?

If ECSA continues to receive nominations directly, should there be a requirement for nominations to be published throughout the nomination process, not just at the end? If so, how should these be published?

Remove council wards

Thirty of South Australia's 68 councils have a ward structure, where a council is divided into smaller areas for the purposes of elections.

Traditionally, maintaining a ward structure has been regarded as a way to bolster representation from all parts of a council's whole area, rather than just its major population centres—although it should be remembered that all wards are required to have equivalent elector and member ratios to ensure the 'one vote, one value' principle.

Once a member has been elected from a ward, though, they have a clear obligation to make decisions in the interests of the whole council area, not just their ward. It can be difficult for members to be able to do this, as they will respond to the concerns and views of the constituency that elected them—the electors of their ward—even if this may not be consistent with the interests of the council as a whole.

Wards can also determine—and to a degree, restrict—who can stand, as they essentially require candidates to form a constituency from within a limited geographic area, rather than across a whole council area.

For example, one candidate may wish to stand on a platform of advocating for additional services for parents, and while they may not have a sufficient constituency within their local ward to support their views, they may well do so across the whole council. Yet the requirement to standing for a ward also restricts them to forming a like-minded community within that small area.

Removing wards from councils could ‘open up’ opportunities for a much wider, more diverse group of candidates, by giving them much more flexible options to find their own community of potential voters.

Many councils, particularly regional councils, have already removed wards as some wards were heavily contested, and others not at all. Occasionally, where wards had fewer nominations than positions, this resulted in the need for a supplementary election. It could also be possible for wards to be removed from a council if elections for all, or some wards, are not contested.

However, especially in larger councils, wards can provide a way for the council’s population to maintain a closer level of connection to their council member. An alternative approach to removing wards for all councils may therefore be to set a ‘size threshold’ for councils to retain wards. This threshold could be the size of the council’s roll, or the ratio of council members to voters.

Should councils continue to have wards? If so, why? And if not, what would be the benefits of removing them?

Should wards only be kept in councils where a council’s size warrants their retention?

Lack of nominations trigger for boundary reform

A council’s existence as a local government is predicated on having a locally elected body. Smaller councils often point towards the support for their local elections as evidence that amalgamation, or other boundary change is not necessary or desirable to help the council deliver the services that their community expects. However, this is hard to argue when not enough people stand to fill all council positions at election time.

Increasing the size of a council’s area, or making other structural changes, may support a greater number of more diverse candidates to stand for that council, giving its citizens greater choice and a stronger local representative body.

Should potential boundary changes be referred to the South Australian Boundaries Commission when a council receives significantly fewer nominations than it has vacancies?

What are other factors that might encourage—or dissuade—people to stand for election to their councils?

What ideas do you have to increase nominations?

Topic 3: How can we achieve a better voter turnout?

One of the unique factors about local government in South Australia is the way in which people vote for their council. Unlike federal and state elections, where voting is compulsory and in person, voting for councils is voluntary and done through the postal system.

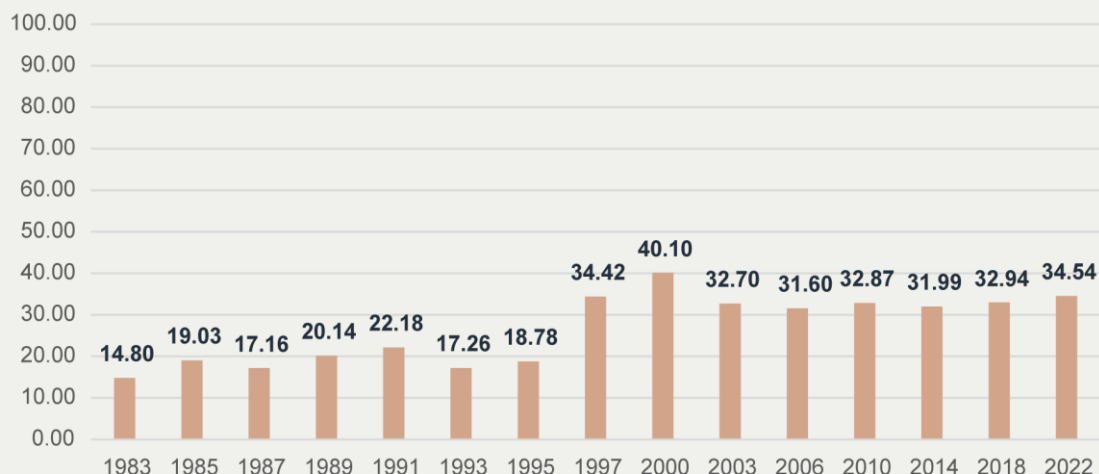
Many people are not aware that postal voting was introduced in 1997. Before this, voting was done in person, but voter turnout rarely exceeded 20%. Over the six elections since the turn of the century, voter turnout has remained consistently low. This held true for the most recent periodic council elections held in November 2022, when the voter turnout was 34.5%.

This means that around two-thirds of people who could vote for their local council representatives are choosing not to vote.

Democratically elected councils are the foundation of local government. Yet citizens are not exercising their right to choose who will represent them, make the decisions about how to spend their rates, and determine what services their local area should receive.

Some ideas to improve voter turnout are detailed below.

Local Government Election voter turnout (percentage), 1983 - 2022



Source: Information provided by Councils to 1997 and by the Electoral Commission of South Australia from 2000 (provisional statistical information provided for 2022)

Make voting for councils compulsory

Over time, most other Australian jurisdictions have made voting in council elections compulsory. South Australia is now one of only two states that have maintained voluntary voting in council elections, along with Western Australia.

Tasmania is the most recent state to make this change, following concerns that voluntary voting had dipped to 68%. Following the introduction of compulsory voting, this increased to 84.8%, with the increase in participation higher amongst electors aged under 34 years, whose participation rates in past elections was below 46%.

Making voting for your council compulsory would be the most certain way to increase voter turnout. It would also remove a significant difference between council elections and both the Australian Government and South Australian Government elections.

Is there any particular reason why councils do not warrant compulsory voting, when the two other spheres of Australian governments do?

Should voting for councils be compulsory in South Australian council elections?

How do people vote for their council in other Australian jurisdictions?

Queensland—voting for councils is compulsory in Queensland. Voting is by attendance, but councils can apply to the Minister to request postal voting to apply for all or part of their area. For the March 2024 Queensland council elections, the Minister approved full postal elections for 15 councils. Hybrid elections (a mix of attendance and postal voting) were approved for a further two councils.

Victoria—in Victoria, it is compulsory for residents in a council area who are enrolled for state elections to vote in council elections. However, voting it is not compulsory for other voters, including property-owning ratepayers, except in Melbourne City Council. The Victorian Minister for Local Government decides before an election whether council elections will be held by postal vote or attendance vote.

Tasmania—as with Victoria, voting at council elections is compulsory for voters on the state roll in Tasmania, but not for other voters. Postal voting is the voting method.

New South Wales—in NSW, voting is compulsory for electors on the residential roll, but not for other voters. Voting is by attendance.

Western Australia—voting for councils is not compulsory in Western Australia. Most voting is through the postal system—while attendance voting is also available to electors, it is not primarily used. Eight out of 139 local government areas run in-person elections.

States that have attendance voting for councils (Victoria, NSW and Queensland) allow voters to cast a 'pre-poll' vote at a polling centre before polling day, or apply for a postal vote, if they cannot attend a polling place on election day. Additionally, some states—including South Australia—offer telephone voting to assist vision-impaired voters, and/or voters who are overseas or interstate and may not otherwise be able to return a vote in time.

Change the method of voting

Voting for Australian councils is done by postal or attendance voting, or a hybrid of the two. In a postal voting system, electors are sent their ballot papers in the post. They fill them out and then return via post, or by depositing the envelope in a ballot box at their local council. Attendance voting requires electors to 'attend a polling place' in person, where their enrolment details are checked, and they then vote—as is the case for state and federal elections.

Hypothetically, it should be easy for voters to open the envelope that is sent directly to them, read the candidate profiles, decide who they want to vote for, mark the ballot paper, sign the declaration, and return the vote in the post. However, the stubbornly low rate of people who do this indicates that in our busy lives, it can become one more administrative task to do—and easy to put to one side.

Given this, it may be worth re-visiting the question of whether voting for councils should be through the post, or return to attendance (in person) voting, particularly given the increase in pre-polling and postal voting in recent state and federal elections.

But it must also be acknowledged that voter turnout in a postal voting system for local government has always been higher than it was for in person voting. As noted, the change from attendance to postal voting in 1997 saw a bump in voter turnout, however, this turnout then dropped and has consistently stayed at around 32–34% since.

How should people vote for their councils?

Consider who can vote for their council

People who can vote for their council are:

- Residents in a council area who are enrolled for state elections. These people automatically receive ballot papers in the post.
- Persons, business lessees, business owners, bodies corporate or groups that are ratepayers, or occupy a rateable property, within the council area (often referred to as the 'property franchise'). Those falling under this category, who wish to vote in council elections, must self-enrol for each council election by completing an enrolment form (except in the City of Adelaide, where they are automatically enrolled).

Voters exercising their property franchise do not need to live in the area of the election they are voting in, and do not need to be Australian citizens.

Additionally, residents within a council area who are not Australian citizens may also self-enrol to vote for their council, if they have been a resident in the area for at least one month immediately before the date they apply to vote. This reflects the general tenor of council elections—that local people who use local services should have a say in the local decision-making body that determines them. However, some people argue that this is not appropriate, or that a longer period of residency should be required before non-Australian citizens can enrol to vote.

While one month's residency may not sound like a long time, non-citizens choosing to vote for their council will have been living in their area for a longer period. For the 2022 council elections, the final date to enrol to vote was 29 July 2022. This means that a person would have needed to have resided in a council area for at least the period from 29 June 2022 to the point at which ballot papers were posted out at the end of October 2022—approximately four months in total.

Should the franchise for council elections be changed in any way?

Online voting

Often people ask why they can't vote online for their council, particularly now that so many transactions—including government processes—are conducted online.

However, Australia is not yet in a position to introduce any large-scale system of online voting without seriously compromising the integrity of our elections. There is a very serious risk that personal computers, as well as servers, storing and counting votes could be hacked.

Any move to online voting must consider a number of factors:

- **Security**—can the system be made secure from tampering?
- **Operational**—can the system be securely and effectively administered by electoral officials?
- **Authenticity**—how does the system know that the person voting is who they say they are? Can votes be verified and scrutinised? How does the system guarantee the secrecy of a person's vote, and that it was cast without undue pressure?
- **Perception**—is the system robust enough to assure all citizens that the election is secure, and the results can be trusted?

These challenges explain why there are very few examples of fully online voting around the world.

NSW is the only jurisdiction in Australia where online voting has been permitted. The remote voting system iVote has been used in a limited capacity for state elections since 2011, and more recently in council elections. However, in March 2022, the NSW Supreme Court ruled that three council elections held in December 2021 were invalid due to an error with the iVote system.

Additionally, in these elections, the iVote system suffered outages—the NSW Electoral Commission estimated that more than 10,000 people could not cast a vote. iVote was then not used for the 2023 NSW State elections.

Change the timing of council elections

Currently, council elections are held in November of the same year as State government elections. This can mean that three elections—state, federal and local—could be all held in the same year—as was the case in 2022. Many people argue that this generates 'voter fatigue'—that by the time council elections roll around, people struggle to have interest in and enthusiasm for another election.

Many will argue that giving council elections ‘clear air’, well separated from South Australian Government elections, gives local government the opportunity to gain the attention that it deserves as an independent sphere of government. Others argue that a close alignment between local and state elections means that councils and the South Australian Government have the majority of their respective four-year terms to build close working relationships.

Additionally, both councils and the Electoral Commissioner have also expressed concerns that requiring ECSA to hold South Australian Government and council elections in the same year places a huge burden on ECSA, which, while it has enormous experience in running multiple processes at once, cannot really turn its whole attention to council elections until all aspects of a state election are completed. This may not be the best result for councils.

Should council elections be moved to a different year from South Australian Government elections?

Election promotion

As described in Topic 2, the LGA undertakes promotion before council elections to encourage people to stand for election. Councils also provide funding to the Electoral Commissioner to run a promotional campaign to let people know the election is underway, and to encourage people to vote.

While this approach results in a centrally funded and organised election promotion campaign, as is the case with encouraging nominations, it doesn’t necessarily link the elections to a local area in a way that might prompt voters to consider voting for their council members.

Should councils have a stronger role in promoting elections locally to increase voter turnout?

Removing wards

Topic 2 includes discussion on the reasons that councils have wards, and the impact that wards may have on nominations for council elections.

It is also noted that removing wards would provide voters with a greater choice of candidates to choose from and may therefore encourage more people to vote. Where wards are in place, voters only have the opportunity to consider and vote for a relatively small number of candidates for a small number of places. This can be particularly noticeable where voters in some wards do not get to vote at all, as there is the same number of candidates as positions, but other wards in the same council area are heavily contested.

Varying voter participation rates across different wards in the same council can also give rise to inconsistencies in the number of votes that are needed for a candidate to win a position at that council. For example, in the 2022 periodic elections, a candidate in one council ward was elected with 722 votes, while other candidates in different wards for that council did not get elected, despite receiving between 786 to 998 votes.

Would removing wards provide voters with greater choice, and produce fairer results?

Consider candidate information

Currently, information about all candidates is included in the ballot pack distributed to voters. This includes the 'candidate profile' that is prepared by each candidate, along with information on any political party membership, and a 'tick the box' statement of whether the candidate lives in the area being contested.

This information is crucial in helping voters decide who they will vote for, particularly in larger council areas where it may be more difficult to know your candidates personally. But it can also be difficult for voters to work out who to vote for based on the brief candidate profile that is included in a ballot pack. If voters want more information about people running for their council, then they must generally make their own efforts to find it, by searching social media, or contacting councils directly.

There may be a role for councils to play in providing a platform for candidates to use to make themselves known to voters, and for voters to gain a better understanding of their choices. This may be through online 'town hall' or 'question and answer' sessions. Council administrations may have concerns, however, that this may be inappropriate involvement in an election for a body that must be, and must be seen to be, impartial.

Some feedback received after the 2022 periodic council elections was that the newly introduced requirement for members to include information on political party membership was helpful to voters, but also that additional information—including a National Police Check—may help people to know more about the candidates, and therefore encourage them to return their vote. This raises a question, however, as to whether requiring what can be sensitive information may dissuade people who may make good council members from standing. Is it fair for someone who has 'served their time' to have to release this information?

What information should candidates be required to include with their nominations?

Is there a role for councils to play in enabling all candidates to reach potential voters?

What are other factors that might encourage—or dissuade—people to stand for election to their councils?

What ideas do you have to increase nominations?

Topic 4: Election improvements

As the foundation of our local democracy, it is essential that council elections are run as efficiently as possible and with the greatest level of integrity. This review is therefore an opportunity to consider any needed improvements to our system of council elections, particularly considering that a number of changes were introduced before the 2022 periodic council elections.

After each periodic council election, the Electoral Commissioner undertakes a review of the elections. The Electoral Commissioner has advised that he will provide a report of his review of the 2022 periodic council elections to the Minister towards the end of the 2023 calendar year. Any recommendations that the Electoral Commissioner makes will be considered for inclusion in this review.

In summary, therefore, this review will look at the following:

- Any modifications that may be needed following changes introduced in 2022. In particular, the obligations for council election candidates to provide their campaign donations returns directly to ECSA, and the automatic loss of council office for failure to do so will be considered, given the significant issue this caused in early 2023, when special legislation needed to be passed to restore 45 council members to office who had lost their positions for this reason.
- Any matters raised by the Court of Disputed Returns, or other illegal practices found by the Electoral Commissioner, which may require legislative amendment to protect the integrity of council election processes.
- Any other matters raised, or improvements identified by the Electoral Commissioner in his review of the 2022 periodic council elections.

Do you have any ideas to improve council elections?

Attachment 2



Local Government Participation and Elections Review

Consultation Paper

November 2023

The LGA is the statutory peak body for Local Government in South Australia, representing all 68 Councils in the State.

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Introduction

The Minister for Local Government, Hon Geoff Brock MP, has launched the Local Government Participation and Elections Review (the Participation Review); a state-wide consultation process to give all South Australians the opportunity to provide feedback on ideas and suggestions on how communities can better engage with their councils through a council term and, particularly, at election time.

The consultation process is supported by the Local Government Participation and Elections Review Discussion Paper which contains ideas and questions to assist with making submissions to the Review.

The discussion paper puts forward a range of ideas such as compulsory voting, term limits for council members, removal of council wards and possible boundary changes where councils don't receive enough nominations at election time. Broad discussion and feedback is being sought by the Minister to inform further consideration of what, if any, changes may be required to legislation and election processes to support enhanced participation in councils and council elections.

Scope of the Review

The scope of the Participation Review encapsulates the following matters:

- engaging and participating with councils, including community engagement, access to council meetings and engagement by council members with communities
- encouraging greater numbers/more diverse candidates
- increasing voter turnout
- ensuring council elections are run efficiently and with the highest level of integrity.

It is important to note that the Participation Review is being used as the consultation mechanism for community engagement related changes to the *Local Government Act 1999* (the Local Government Act) arising from the passage of the *Statutes Amendment (Local Government Review) Act 2021*, which have not yet been proclaimed for commencement.

Community Engagement Charter

The community engagement reforms will introduce a Community Engagement Charter as part of a simplified approach to community engagement, which provides greater flexibility and allows councils to design and deliver engagement that is the 'best fit' for the decisions and actions.

Previously, the LGA has consulted the sector to inform the development of a proposed Community Engagement Charter (the proposed CEC). The proposed CEC benefited from input from communication and engagements specialists in the sector and the LGA's Legal Connect partners, Norman Waterhouse Lawyers. The proposed CEC considered implications from the 'Coastal Park' decision¹, which had negative consequences for public consultation in the local government sector.

The proposed CEC was endorsed by the LGA Board of Directors in November 2021 and subsequently submitted to the then Minister for Planning and Local Government (the Hon Josh Teague MP). A copy of the proposed CEC is provided as Attachment 1.

¹ Coastal Ecology Protection Group Inc & Ors v City of Charles Sturt [2017] SASC 136

LGA consultation process

The LGA will be making a submission to the Participation Review on behalf of the sector and is seeking feedback from member councils to inform that submission. This Consultation Paper has been prepared to assist councils with providing feedback to the LGA. Councils may also find it will assist with the development of a direct response to the Participation Review, should it wish to make one.

Since the November 2022 elections, the LGA has received various proposed items of business and feedback from member councils raising issues related to participation and elections. The items of business received were presented to either the LGA Board, GAROC or SAROC and not referred through to the respective LGA Ordinary General Meeting (OGM) or Annual General Meeting (AGM) based on the knowledge that the Participation Review was to be conducted by the State Government.

The following pages may be extracted and attached to a council report for endorsement as council's formal submission to the LGA consultation process. The pages include:

- supporting information relevant to each topic included in the Participation Review discussion paper
- each of the questions asked in the Participation Review discussion paper and space for comment/response by councils
- Additional matters raised with the LGA by councils via proposed items of business not already captured by the questions in the Participation Review discussion paper and space for comment/response by councils
- Space for additional ideas/feedback councils wish to submit.

The Participation Review discussion paper contains further data and information to support council's consideration and submission preparation. **The discussion paper should be read in conjunction with this consultation paper.** Information in the discussion paper, apart from the specific questions asked, has not been replicated in this consultation paper.

The LGA Secretariat is seeking submissions from councils by **5.00pm Friday 2 February 2024**. Submissions should be sent to the LGA via email governance@lga.sa.gov.au.

Once council responses are received, the information will be collated into a submission for endorsement by the LGA Board on behalf of the sector.

The consultation period for the Participation Review closes on 1 March 2024 and direct submissions can also be made until that time via the following options:

- Emailing comments to DIT.LocalGovernmentReform@sa.gov.au
- Posting written feedback to *Office of Local Government, GPO Box 1533, Adelaide, SA 5001*

The LGA Secretariat would also appreciate receiving copies of direct submissions made to the Participation Review.

For further information please contact the LGA Governance Team (governance@lga.sa.gov.au or 8224 2000)

Name of Council:

**Submission to the LGA – to inform sector response to the
State Government - Local Government Participation and Elections Review**

TOPIC 1 HOW PEOPLE ENGAGE WITH THEIR COUNCIL**(refer pages 7-10 – Local Government Participation and Elections Review Discussion Paper).****1.1—Community Engagement Charter**

Once section 16 of the *Statutes Amendment (Local Government Review) Act 2021* commences, changes to publication consultation requirements for councils will take effect. The intent of these reforms is to simplify community engagement, provide greater flexibility and allow councils to design and deliver engagement that is the 'best fit' for the decisions and actions it is considering.

A core component of these reforms is the introduction of a Community Engagement Charter (CEC), which will be published by the Minister, and which will regulate arrangements relating to public consultation and giving of public notice by councils. The CEC will be supported by a council's mandatory Community Engagement Policy.

In November 2021 the LGA submitted a Proposed Community Engagement Charter (CEC) to the then Minister. This draft CEC was prepared with input from a working group of council community engagement specialists and Norman Waterhouse Lawyers and then informed by formal consultation with the sector. Given the extensive work undertaken on the proposed CEC and to support council's consideration of the questions below, the proposed CEC is provided as Attachment 1 to the LGA consultation paper.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.1—Community Engagement Charter	Comments
What requirements should be set for councils' community engagement for what decisions?	
What should be included in the Charter and what should be left for councils' own community engagement policies?	
Should councils have the capacity to determine how they will engage with their communities, or should the Charter be more directive in its approach?	

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.1—Community Engagement Charter	Comments
What other ideas do you have for councils' community engagement?	
What are the types of information you would like to see councils include when they engage with you?	

LGA CONSULTATION QUESTIONS: 1.1—Community Engagement Charter	
Are there changes required to the proposed Community Engagement Charter? If yes, what changes should be made and why?	
Is there anything else you would like to raise in relation to council community engagement policies and practices?	

TOPIC 1 HOW PEOPLE ENGAGE WITH THEIR COUNCIL (refer pages 7-10 – Local Government Participation and Elections Review Discussion Paper).

1.2—Council meetings (refer also Topic 2)

Pursuant to section 90(1) of the Local Government Act, council meetings are required to be conducted in places open to the public. One of the key guiding principles for council meetings as per the *Local Government (Procedures at Meetings) Regulations 2013* is that procedures should encourage appropriate community participation in the affairs of the council.

Attendance at council meetings via electronic means for councillors is specifically dealt with under Topic 2 as a means of encouraging a greater number of more diverse candidates. This topic relates to **public participation in meetings** and specifically seeks feedback on livestreaming of council meetings, making recordings available, and the commencement time of council meetings **to enable greater participation in the council meeting process by members of the community**.

Mandatory livestreaming/recording of council meetings

The primary methods for members of the community to participate in council meetings are currently by observing a council meeting, either from the public gallery (or if available via a livestream/recording of the meeting); making a deputation or contributing to a petition which is then presented at a council meeting for consideration.

During the COVID-19 Pandemic, specific arrangements were in place to allow councils to continue to meet when there were restrictions in place, one of which included a requirement that council meetings conducted via electronic means were to be livestreamed. Changed practices introduced during the pandemic have led to increased expectations for greater use of technology in many ways, including community access to council meetings.

Many councils have voluntarily continued a practice of livestreaming meetings undertaken from the council chamber or provide access to a recording of the council meeting via the council's website after the meeting has concluded. The approach adopted is generally informed by each council's available technology and resources to facilitate such services.

More recently, some councils have encountered disruptive and aggressive behaviours from members of the public, which poses risks to council member and staff safety as well as potentially compromising decision-making processes for the council. In this context, the option to satisfy the provision of access to council meetings via livestreaming or recording could be an effective risk management strategy for councils.

The Participation Review is exploring whether there should be a mandatory requirement for councils to livestream meetings and make recordings available?

TOPIC 1 HOW PEOPLE ENGAGE WITH THEIR COUNCIL
(refer pages 7-10 – Local Government Participation and Elections Review Discussion Paper).

Timing of council meetings

Sections 81(5) and (6) of the Local Government Act require that council meetings may not be held on Sundays or public holidays, and metropolitan councils may not commence meetings prior to 5:00pm unless councils resolve to do so by unanimous vote of **all** council members. This limitation is not imposed on regional councils, where council meetings may be convened during business hours. Presently, each council determines its meeting schedule and makes the information publicly available in accordance with the legislative requirements.

The timing of council meetings impacts the ability of members of the community to attend those meetings.

The Participation Review is exploring whether a particular time should be specified for councils to be held with a view to maximising community participation.

Live streaming and/or putting a video recording of the meeting may also lessen any impact as people can watch from wherever they are and at a time that suits. Is that preferable to having public present at the meeting? These considerations can also be considered in conjunction with council's response to Topic 2, part 2 (How can we make council meetings more flexible?).

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.2—Council Meetings	Comments
Should councils be required to livestream their meetings, and make recordings available?	
All metropolitan councils hold their council meetings during the evenings, but councils in regional areas often hold their meetings during business hours. Should councils be required to hold their meetings at a particular time to maximise community participation?	

LGA CONSULTATION QUESTIONS: 1.2—Council Meetings	
<p>Does your council currently livestream council meetings and/or make recordings available after the meeting has concluded?</p>	
<p>What would impact (or has impacted) your council's ability to livestream council meetings or make recordings of meetings available? (e.g., available technology, reliable internet service, installation/ongoing costs)</p>	
<p>Are there any other issues relating to livestreaming and/or making recording of council meetings available you would like to raise?</p>	
<p>Do you have any other suggestions/comments to enhance community participation in council meetings?</p>	

TOPIC 1 HOW PEOPLE ENGAGE WITH THEIR COUNCIL
(refer pages 7-10 – Local Government Participation and Elections Review Discussion Paper).

1.3—Support council members to engage with communities

The role of a council member is extensive and the circumstances of individual members are wide and varied, resulting in differing approaches for engaging with and representing their constituents.

Council members receive an allowance, determined by the independent Remuneration Tribunal SA (RTSA) and changes to allowances are specifically discussed in Topic 2 as a means of encouraging a greater number of more diverse candidates.

Council members also have access to a range of facilities and support (determined by each council) to assist them with the delivery of their role and functions.

The Participation Review canvases whether the introduction of a specific allowance to support constituent work similar to that which Members of Parliament (MPs) receive would assist council members to engage more effectively with their communities. State MPs receive an electorate allowance in respect of expenses associated with discharging parliamentary, electoral or community duties (but not party political duties) in their electoral district. This allowance is determined by the RTSA, having regard to a range of factors, and is in addition to any salary paid to the MP. The electorate allowance recognises the requirement for MPs to be actively involved in community affairs and represent and assist their constituent in dealings with governmental, other public agencies and authorities, in addition to their parliamentary duties.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.3—Support council members to engage with communities	Comments
How should members be supported to engage directly with their communities?	
Should all council members be provided with a specific allowance to support constituent work, similar to the allowance that is provided to all Members of Parliament?	

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.3—Support council members to engage with communities	Comments
What other ideas do you have to strengthen the relationship between council members and their local community members?	

LGA CONSULTATION QUESTIONS: 1.3—Support council members to engage with communities	
Are there any other matters relating to supporting council members to engage with communities you wish to raise?	

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.1—Increase council members' allowances

Council member allowances are determined by the Remuneration Tribunal SA (RTSA) in accordance with section 76 of the Local Government Act. In making a determination the Tribunal must have regard to the following:

- nature of the office and representative role of council members on council's governing body
- size, population and revenue of the council and any relevant economic, social, demographic and regional factors
- ratio of members to ratepayers
- fact that an allowance is not intended to be a salary
- separate provisions of the Local Government Act relating to reimbursement of expenses (refer section 77 of the Local Government Act).

The allowance is not intended to be remuneration or a salary, and some council members also undertake paid employment in addition to their council member. There may be merit in considering the manner in which council members are remunerated overall, rather than simply whether an increase to the current allowances would influence more people to consider nominating for council.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.1—Increase council members' allowances	Comments
Would more, and a more diverse range of, people be attracted to the role if allowances were increased?	

LGA CONSULTATION QUESTIONS: 2.1—Increase council members' allowances	
When considering council members allowances, what other factors warrant review that may attract more people to the role? (e.g., taxation implications, superannuation)	
Are there any other matters relating to council member allowances you wish to raise?	

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES? (refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.2—Make council meetings more flexible

Section 6(a) of the Local Government Act requires that councils are required to act as a '*representative, informed and responsible decision-maker in the interests of its community*' and one of the key principles to be observed by council in performing its roles and functions is to '*provide open, responsive and accountable government.*' Council meetings are the primary decision-making mechanisms for councils.

Section 86 of the Local Government Act and the *Local Government (Procedures at meetings) Regulations 2013* prescribes the procedure to be observed at council meetings to ensure council meetings are held in a consistent way to meet the following guiding principles:

- '(a) procedures should be fair and contribute to open, transparent and informed decision-making;*
- (b) procedures should encourage appropriate community participation in the affairs of the council;*
- (c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;*
- (d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.'*

In considering the issue of greater flexibility for council meetings, the Participation Review talks primarily about timing of council meetings and enabling members to attend meetings electronically as mechanism to encourage a wider range of people to nominate.

Council meeting times

The issue of council meeting times and the impact this has on community participation was considered in Topic 1 of the Review. In this Topic, the focus is on the impact of the time of council meetings on council members/nominations for council. As noted previously, subject to the requirements of the Local Government Act, each council has the ability to determine the time and place for council meetings.

Electronic council meetings

The issue of electronic council meetings has been raised with the LGA on numerous occasions following the cessation of the COVID-19 emergency declaration and the removal of the ability to conduct council meetings via electronic means. Whilst the legislation allows committee meetings and information/briefing session to be conducted electronically, council meetings are not able to be.

At the LGA AGM held on 29 October 2020 an item of business requested the LGA lobby the State Government to review the legislation to include provisions for attendance at council meetings and informal gatherings by electronic means. Consultation was undertaken with member councils and

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

at that time, general support was expressed for the ability to conduct meetings electronically in certain circumstances and with a range of limitations, rather than a blanket support for council meetings to be able to be convened electronically.

Preliminary discussions were held with the Office of Local Government (OLG) in 2020, as part of progressing the item of business. However, in light of both the major emergency declaration in place and the status of local government reforms at the time, the State Government preferred to defer consideration of the issue. The LGA Secretariat provided this advice to councils at the time and indicated that consultation would likely occur in 2023 following commencement of the majority of local government reforms.

The COVID-19 experience has changed attitudes to electronic meetings and the Participation Review provides an opportunity for councils to provide input as to how and whether the ability to conduct council meetings electronically should be available on an ongoing basis.

As noted in Topic 1, recent experiences with disruptions to council meetings has introduced other reasons that may support consideration of electronic council meetings, such as ensuring the safety of all meeting participants/attendees.

The Participation Review specifically raises the proper management of integrity matters (e.g., a council member removing themselves from the meeting after declaring a conflict of interest or discussion of matters in confidence) and community members having assurance that their council members are physically present in their local area, for at least a good proportion of the time as matters for consideration.

There are likely other elements of council meetings that warrant discussion as part of this Topic, e.g., formality of council meeting procedures.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.2—Make council meetings more flexible	Comments
<p>Are there elements of council business that might put people off nominating? (for example, if a council meets during business hours, does that prevent people from standing for council if they are in the workforce or have family or other responsibilities? Or does it enable others, who may not be able to attend evening meetings, to run for council?)</p>	

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.2—Make council meetings more flexible	Comments
Should council members be able to attend some council meetings electronically?	

LGA CONSULTATION QUESTIONS: 2.2—Make council meetings more flexible	
What issues should be considered if council meetings are to be conducted electronically?	
Should limitations be introduced relating to electronic council meetings? (e.g., specific circumstances under which a member may attend a meeting electronically, a limit on the number of times a member may attend electronically etc)	
Are there examples from your COVID-19 council meetings that demonstrate benefits/challenges with electronic council meetings that could inform this consideration? (e.g., managing 'hybrid' meetings compared with all members participating electronically, benefits/challenges for the presiding member, management of meeting procedures, minute taking etc)	
Are there any other matters relating to council meetings which may influence a person's decision to nominate for council you wish to raise?	

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.3—More local promotion of nominating for elections

Council elections are conducted by the Electoral Commission of SA (ECSA), with councils paying the full cost of the electoral process.

Whilst ECSA has formal responsibility for promotion of the ‘enrolment’ and ‘participation (vote)’ elements of the election, historically the LGA has facilitated promotional activities as efficient means of providing sector wide collateral for council elections and to maximise the value of advertising/promotion of council elections through a consistent look and feel.

For the 2022 council election process, the LGA secured \$300,000 of Local Government Research and Development Scheme (LGR&DS) funding for an advertising campaign aimed at raising awareness and increasing engagement with the elections across the three election stages: enrol, nominate and vote.

The approach used for local promotion of elections varies across councils and is generally driven by available resourcing and cost. A majority of councils access promotional materials from the LGA and use these for online, social media and other advertising. In addition, many councils host information sessions for potential candidates to provide details of the role of a councillor, the time/commitment involved and other general information about the council/local government.

Assigning an increased role for councils in the promotion of elections, either specifically for the nomination stage or more broadly, must have regard to the cost impact for councils. In relation to the 2022 election process, there were significant increases to ECSA costs to council based on factors such as inflation, transport, Australia Posts charges, ICT requirements and other amendments to the *Local Government (Elections) Act 1999*. Information on the actual total cost of the election is not yet available, however, estimated increases advised to councils prior to the election by ECSA were in the order of 30%.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.3—More local promotion of nominating for elections	Comments
Are there other efforts that councils could make to increase interest in standing over a council term, e.g., by working with ratepayer or other community organisations?	

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.3—More local promotion of nominating for elections	Comments
Would councils get a better local result if they make greater investments in local promotion and initiatives, particularly ahead of election periods?	

LGA CONSULTATION QUESTIONS: 2.3—More local promotion of nominating for elections	Comments
What strategies did your council use to promote nominating for council? What costs did you incur for your local promotion?	
Are there any other matters relating to the role of councils in promoting nominating for elections you wish to raise?	

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.4—Term limits for council members

Currently there is no limit on the number of terms a council member may serve. The Participation Review discussion paper raises the idea that limiting council members to say a maximum of two or three terms will effectively increase turnover and therefore interest in becoming a council member, as potential candidates feel there is less risk in going up against a well-established incumbent council member.

From a general perspective it may be that term limits could assist with providing more people the opportunity to represent their community. Equally, there could be an argument that limiting terms could result in challenges in attracting enough candidates for the available roles.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.4—Term limits for council members	Comments
Should term limits for council members be introduced?	

LGA CONSULTATION QUESTIONS: 2.4—Term limits for council members	Comments
What opportunities/risks do you consider may arise as a consequence of limiting council member terms?	
Are there any other matters relating to term limits for council members you wish to raise?	

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.5—Required training for candidates

Currently there is no minimum skill, knowledge or experience necessary for a person to be able to nominate as a candidate in a council election.

Following election, council members must complete mandatory training within 12 months of the election, which ensures council members have necessary knowledge and skills across areas such as strategy and finance, legal, civic and council member behaviour/leaderships.

The Victorian Government has introduced compulsory training for all Victorians who wish to nominate as a candidate in any council election. The training is online and takes around an hour to complete. The training covers information about being a councillor, including understanding a conflict of interest, a code of conduct, and what support is available to help undertake the role. The training is not graded (there is no 'pass' or 'fail') and remains valid for two years. The training must be completed by anyone intending to nominate, including serving councillors and people who have been councillors in the past.

The mandatory course was introduced in the *Local Government Act 2020 (Vic)* to ensure candidates understand the role of councillor and the standards they are expected to uphold if elected (Refer: <https://www.localgovernment.vic.gov.au/council-governance/candidate-training>).

Candidate screening

Separate, but related to training for candidates, the LGA Secretariat has received proposed items of business relating to additional nomination information or screening for candidates. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

Candidate information is raised in Topic 3, Part 7-Consider candidate information of this discussion paper, however candidate screening has been included here on the basis that it relates to candidate eligibility requirements, which is consistent with establishing a required training for candidates before they are able to nominate.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.5—Required training for candidates	Comments
Should people be required to complete an online course before nominating?	

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.5—Required training for candidates	Comments
What forms of training could both benefit candidates and generate more community confidence in the people that are standing for election?	

LGA CONSULTATION QUESTIONS: 2.5—Required training for council members	Comments
What are the opportunities/risks associated with the introduction of mandatory candidate training?	
If mandatory candidate training requirements are introduced, who should have responsibility for developing and delivering the training and maintaining required records?	
Are there other options available to ensure candidates have the necessary information to support their decision to nominate?	
Should the criteria for individuals seeking candidacy be strengthened by requiring a Department of Human services Working with Children clearance and that candidates should be considered fit and proper?	
Are there any other screening criteria or eligibility requirements that should be considered for candidates?	

LGA CONSULTATION QUESTIONS: 2.5—Required training for council members	Comments
Are there any other matters relating to training for council members you wish to raise?	

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES? (refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.6—Consider real-time publishing of nominations

As part of the local government reform process, the LGA on behalf of members, successfully advocated to remove councils from the candidate nomination process on the basis that ECSA holds responsibility for the conduct of council elections. Prior to the passage of the *Statutes Amendment (Local Government Review) Act 2021* (the Local Government Review Act) and subsequent changes to the *Local Government (Elections) Act 1999* council officers (appointed as Electoral Officers by ECSA) would receive candidate nominations, with the majority of nominations submitted via councils, rather than directly to ECSA for processing.

Previously, nominations were displayed on a notice board at the council office immediately following acceptance by ECSA. This meant that at any time, a member of the community could attend the council office and see who had nominated for election to the council. It also meant there was visibility of the overall number of nominations received throughout the entirety of the nomination period.

Following the commencement of legislative changes in November 2021, candidate nominations are now made directly to ECSA (using the candidate nomination portal) and council officers no longer play a role in relation to receipt/processing of candidate nominations or publication of nomination details. Information regarding accepted nominations is made available after the conclusion of the nomination period (the legislation requires ECSA to publish the information within 24 hours of close of nominations). The approach to display of nomination information is consistent with State and Federal election processes.

In the November 2022 council elections there were a number of councils who did not receive sufficient candidate nominations to fill all vacancies. As a consequence, supplementary elections were required, which not only contributed to election related costs but resulted in delays in commencement of the new council until early in 2023, some three months after the conclusion of the general election.

The LGA Secretariat has received proposed items of business relating to candidate nomination processes following the November 2022 council elections. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

ECSA has not yet published its report into the November 2022 council elections, however, it is anticipated the issue of insufficient nominations is likely to be canvassed in that report.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.6—Consider real time publishing of nominations	Comments
<p>Should councils have a role in the nomination process?</p> <p><i>LGA Note – This question relates to whether councils should be directly involved in the receipt/processing of candidate nominations, <u>not</u> the real-time publishing of nominations - that question is below.</i></p>	
<p>If ECSA continues to receive nominations directly, should there be a requirement for nominations to be published throughout the nomination process, not just at the end?</p> <p>If so, how should these be published?</p>	

LGA CONSULTATION QUESTIONS: 2.6—Consider real time publishing of nominations	Comments
<p>What other changes could be made to the candidate nomination process that may encourage a greater number of more diverse candidates?</p>	
<p>What other changes could be made to publishing of candidate nominations that may encourage a greater number of more diverse candidates?</p>	
<p>Are there any other matters relating to real time publishing of nominations you wish to raise?</p>	

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.7—Removal of council wards

Councils currently have the power to determine the composition of the council, including whether to divide the area of the council into wards, alter the division of the council or abolish the division of the council area into wards, subject to complying with the requirements of section 12 of the *Local Government Act 1999*.

Councils use the Representation Review process and, based on a schedule determined by the Minister (approximately every 8 years), must review the representation structure, including examining the advantages/disadvantages of various options available for the composition of the council (ward structures) and the number of members. Councils must undertake public consultation when conducting a Representation Review.

Changes arising from the passage of the *Statutes Amendment (Local Government Review) Act 2021* have introduced a ‘member cap’ which provides that a council must not be comprised of more than 13 members unless the council is granted an exemption certificate by the Electoral Commission SA.

Whilst it is often the case, candidates do not need to live in the ward they nominate in: they must be eligible for nomination within the council area, but are able to nominate in any ward within the council. Once elected to council, all council members must make decisions in the interest of the whole council.

Ward elections are managed separately. If a vacancy occurs in a council ward an election only involves eligible voters within that ward. This is likely to mean lower costs are incurred for supplementary ward elections. In a council with no wards, any vacancy would result in an election involving **all** eligible voters within the council area.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.7—Removal of council wards	Comments
Should councils continue to have wards? If so, why? If not, what would be the benefits of removing them?	

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.7—Removal of council wards	Comments
Should wards only be kept in councils where a size warrants their retention?	

LGA CONSULTATION QUESTIONS: 2.7—Removal of council wards	Comments
What opportunities/risks do you consider may arise as a consequence of the removal of wards?	
Are there any other matters relating to the removal of wards you wish to raise?	

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.8—Lack of nominations trigger for boundary reform

The endorsed policy position of the LGA in relation to amalgamations is that they should only occur on a voluntary basis, where there is support of council and their communities and strong supporting evidence. It is important that councils maintain their autonomy and the ability to respond directly to the needs of their communities.

The Participation Review discussion paper suggests increasing the size of a council's area (e.g., through amalgamation with an adjoining council or councils), or making other structural changes (e.g., removal of existing ward structures), may support a greater number of more diverse candidates to stand for that council.

The Participation Review discussion paper proposes that where insufficient nominations are received at a general election, this should trigger the referral of a boundary review process to the SA Boundaries Commission, the end product of which could be forced council amalgamations or changes to ward structures within the council.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.8—Lack of nominations trigger for boundary reform	Comments
Should a lack of nominations be a trigger for boundary reform?	

LGA CONSULTATION QUESTIONS: 2.8—Lack of nominations trigger for boundary reform	Comments
What opportunities/risks do you consider may arise as a consequence of boundary reform processes being triggered by a lack of nominations?	
If legislative changes are introduced that commence a boundary reform process following a lack of nominations, who should bear the cost of that process and why?	
Are there any other matters relating to the proposal to trigger boundary reform as a consequence of insufficient nominations you wish to raise?	

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?
(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).

3.1—Make voting for councils compulsory

There has been significant discussion over a long period of time about whether voting in council elections should be compulsory, as is the case for state and federal elections. Voter turnout in South Australian Council Elections has remained relatively static at around 32% over the past six elections (2003 – 2022).

South Australia and Western Australia are the two states where voting is not compulsory in council elections.

A primary consideration for compulsory voting relates to the impact on people's perception of local government (low turnout can be seen as reducing the legitimacy of councils) and, potentially, the quality of election candidates. Compulsory voting would, however, result in a cost increase to councils (ECSA recovers the full costs for the conduct of council elections from councils). The issue of the potential for increased politicisation of councils has also been raised during discussions about the introduction of compulsory voting.

The LGA Secretariat has received a proposed items of business relating to the introduction of compulsory voting following the November 2022 council elections so is keen to understand the level of support across the sector for this proposal.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.1—Make voting for councils compulsory	Comments
Should voting for councils be compulsory in South Australian council elections?	

LGA CONSULTATION QUESTIONS: 3.1—Make voting for councils compulsory	Comments
What opportunities/risks do you consider may arise as a consequence of making voting for councils compulsory?	

LGA CONSULTATION QUESTIONS: 3.1—Make voting for councils compulsory	Comments
Are there any other matters relating to the proposal to make voting for councils compulsory you wish to raise?	

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?**(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).****3.2—Change the method of voting**

The current method of voting in South Australian council elections is postal voting. As noted previously, voter turnout has been relatively static at around 32% over the past six elections (2003 – 2022). Some hold the view that voter turnout is connected to the method of voting with a greater risk of lower participation for postal voting.

Anecdotally it is claimed that people receive postal ballot papers, put them down to action later and then forget to do so, resulting in lower voter turnout.

Other factors for consideration with the current postal ballot process include:

- delivery times and reliability, particularly for regional areas, of the postal service
- increasing costs associated with postal voting processes (the service directly, fuel, logistics, processing)
- risks of vote tampering or interference/influencing the completion of ballot papers
- risks of interference with the election process through ballot paper theft

There are limited examples where voters are able to vote electronically. Whilst there would be up front costs to establish electronic voting for council elections, there is the potential for longer term savings to be achieved. However, given the limited operation of electronic voting systems in Australia, there are concerns about access, reliability and the potential for manipulation of electronic voting systems. Electronic voting may warrant further consideration.

The LGA Secretariat has received a proposed items of business relating to voting fraud and whether there is a need for legislative change to minimise the occurrence of this following the November 2022 council elections so is keen to receive councils' views on the method of voting and how this may affect voting fraud.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.2—Change the method of voting	Comments
How should people vote for their councils?	

LGA CONSULTATION QUESTIONS: 3.2—Change the method of voting	Comments
Is there a need for legislative change to minimise the risk of voting fraud?	
Do you support investigation of electronic voting systems? What are the opportunities and risks of this approach?	
What opportunities/risks do you consider may arise as a consequence of changing the method of voting?	
Are there any other matters relating to the proposal to change the method of voting you wish to raise?	

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?
(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).

3.3—Consider who can vote for their council

Currently, residents on the state electoral roll receive an automatic entitlement to vote in council elections.

Residents within a council area who are not Australian citizens may also enrol to vote on the council electoral roll if they have been a resident in the council area for at least one month immediately before the date they apply to enrol.

In addition, persons, business lessees, business owners, bodies corporate or groups that are ratepayers, or occupy a rateable property, within the council are eligible to enrol to vote in council elections. This category of voter does not need to live in the area of the election they are voting in and do not need to be Australian citizens.

The LGA Secretariat has received proposed items of business relating to eligibility to vote following the November 2022 council elections. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.3—Consider who can vote for their council	Comments
Should the franchise for council elections be changed in any way?	

LGA CONSULTATION QUESTIONS: 3.3—Consider who can vote for their council	Comments
Should the eligibility to vote in council elections be restricted to only those persons on the State Electoral Roll?	

LGA CONSULTATION QUESTIONS: 3.3—Consider who can vote for their council	Comments
Should the residency time for non-property owners who are not on the State/Federal electoral roll be changed? If yes, what changes should be made?	
Are there additional regulatory arrangements needed in relation to supplementary roll applications to ensure the integrity of the enrolment process? If yes, what do you propose?	
What opportunities/risks do you consider may arise as a consequence of changing who can vote for their council?	
Are there any other matters relating to the proposal to change who can vote for their council you wish to raise?	

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?
(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).

3.4—Change the timing of council elections

The timing of council elections has been a longstanding concern for the sector with the alignment of elections for all three levels of government in 2022 highlighting the issue.

Legislation currently deems that both State and council elections occur on a four yearly cycle, with State elections generally held around March and council elections occurring in November. The Electoral Commission SA (ECSA) is responsible for the conduct of both elections. Federal elections occur on a three yearly cycle, which means that every fourth State/council election coincides with a Federal election.

During 2022 there was particular concern about potential ‘voter fatigue’ impacting voter turnout for council elections. Surprisingly, despite some electors having to participate in up to three compulsory election process prior to the voluntary council elections, voter turnout was approximately 34% in the November 2022 council elections.

Councils have previously expressed concern at the capacity of ECSA to effectively manage State and council elections within close proximity to each other. As council elections follow State elections, their view is that the quality of service provided to councils is compromised as ECSA cannot commence the council election process until it has effectively concluded the State election.

ECSA has not yet published its report into the November 2022 council elections, however, it is anticipated the issue of timing of council elections is likely to be canvassed in that report.

The LGA Secretariat has received proposed items of business relating to timing of council elections following the November 2022 council elections and is keen to receive councils views on this issue.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.4—Change the timing of council elections	Comments
Should council elections be moved to a different year from South Australian Government elections?	

LGA CONSULTATION QUESTIONS: 3.4—Change the timing of council elections	Comments
Should any change to the timing of council elections not only consider alignment with SA Government elections, but also whether the time of year (i.e., November) council elections are held?	
What opportunities/risks do you consider may arise as a consequence of changing the timing of council elections?	
Are there any other matters relating to the proposal to change the timing of council elections you wish to raise?	

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT? (refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).

3.5—Election promotion

(Refer also to section 2.3—More local promotion of nominating for elections)

As noted previously, councils pay the Electoral Commission SA (ECSA) for the costs associated with the conduct of council elections. In relation to the November 2022 council elections, ECSA advised councils that advertising research, development, production and media campaigns funded by ECSA would come at an approximate cost of \$900,000 in order to encourage as many electors as possible to be enrolled and participate in the 2022 elections.

This expenditure is in addition to the LGR&DS funded promotion undertaken by the LGA.

Election signs

Election signs are one means of promoting candidates in council elections. There are a wide range of views on the use of election signs.

Changes made as part of the local government reform process introduced restrictions on the placement of local government electoral signs made of corflute/plastic. Whilst not raised in the Participation Review discussion paper, this issue of election signs presented a range of challenges for the sector during the November 2022 council elections.

Changes to section 226 inadvertently removed the timeframes within which electoral signs could be displayed. Whilst the changes prohibited the display of an 'electoral advertising poster' (being a poster display electoral advertising made of corflute or plastic), the removal of the provision allowing the display of signs relating to council elections in section 226 meant that the regulation of display of election signs was limited to council by-laws, which had not previously had to be relied upon for that purpose. As a consequence, there was significant confusion and a wide variation of arrangements in place for the display of election signs across the sector.

In addition, in response to the ban on signs made of corflute or plastic, signs made from alternative materials started to appear. It is anticipated that alternative signage materials will become more widely available ahead of the 2026 elections, which will mean that the corflute/plastic ban is likely to have less impact on the display of election signs.

The LGA Secretariat has received proposed items of business relating to display of election signs following the November 2022 council elections. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.5—Election promotion	Comments
Should councils have a stronger role in promoting elections locally to increase voter turnout?	

LGA CONSULTATION QUESTIONS: 3.5—Election promotion	Comments
What opportunities/risks do you consider may arise as a consequence of councils playing a stronger role in the promotion of elections to increase voter turnout?	
Are there any other matters relating to councils having a stronger role in promoting elections locally you wish to raise?	
<p>Should changes be made to requirements for the display of election signs?</p> <p>If yes, what changes are required? For example:</p> <ul style="list-style-type: none"> - specify a timeframe within which election signs may be displayed - specify requirements for the removal of election signs - limit the number of signs that may be displayed - limit the locations in which signs may be displayed 	
Should the rules relating to council election signs be the same as the rules for state and federal election signs?	

LGA CONSULTATION QUESTIONS: 3.5—Election promotion	Comments
Are there any other matters relating to council election signs you wish to raise?	

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?**(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).****3.6—Removing wards***(Refer also to section 2.7—Removal of council wards)*

In the context of achieving a better voter turnout, the Participation Review discussion paper suggests that the removal of wards would provide voters with a greater choice of candidates.

As noted previously, councils currently have the power to determine the composition of the council and are required to review this in accordance with a schedule determined by the Minister. The council considers a range of factors to arrive at the preferred representation structure and must consult with its community.

Ward elections are managed separately. If a vacancy occurs in a council ward an election only involves eligible voters within that ward. This is likely to mean lower costs are incurred for supplementary ward elections. The removal of wards, would mean that any vacancy would result in an election involving **all** eligible voters within the council area.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.6—Removing wards	Comments
Would removing wards provide voters with greater choice, and produce fairer results?	

LGA CONSULTATION QUESTIONS: 3.6—Removing wards	Comments
What opportunities/risks (for achieving a better voter turnout) do you consider may arise as a consequence of removing wards?	

LGA CONSULTATION QUESTIONS: 3.6—Removing wards	Comments
Are there any other matters relating to the removal of wards you wish to raise?	

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?**(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).****3.7—Consider candidate information**

This section of the Participation Review discussion paper explores what, if any, additional information should be required from candidates to inform voters e.g., on the 'Candidate Profile' and whether councils should provide a platform or mechanisms to help disseminate information about candidates to voters.

Refer also to 2.5—Required training for candidates: Candidate screening

Currently the legislation provides that following the close of nominations candidates are able to access a copy of the electoral roll for the council or ward in which they are contesting election. This information assists candidates with election campaigning and accessible eligible voters.

During election periods, councils are also bound by caretaker provisions/policies, which prohibit the use of council resources for the advantage of a particular candidate or group of candidates. A council caretaker policy may allow the equal use of council resources by all candidates for election.

The LGA Secretariat has received proposed items of business relating to candidate information following the November 2022 council elections. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.7—Consider candidate information	Comments
What information should candidates be required to include with their nominations?	
Is there a role for councils to play in enabling all candidates to reach potential voters?	

LGA CONSULTATION QUESTIONS: 3.7—Consider candidate information	Comments
<p>Should candidates in council elections be required to declare any employment arrangements associated with a political party in the 12 months leading up to an election?</p> <p>If yes, should the declaration include the place of employment and where relevant, the name of the member of parliament?</p>	
<p>Should information relating to employment arrangements associated with a political party be required to be published as part of the candidate profile?</p>	
<p>Is there other candidate information that should be required as part of the nomination process, or to be distributed with voting materials, to assist voters?</p>	
<p>What opportunities/risks do you consider may arise as a consequence of changing candidate information requirements?</p>	
<p>What opportunities/risks do you consider may arise as a consequence of councils playing a role in enabling all candidates to reach potential voters?</p>	
<p>Are there any other matters relating to candidate information you wish to raise?</p>	

TOPIC 4 ELECTION IMPROVEMENTS**(refer page 23 – Local Government Participation and Elections Review Discussion Paper).**

The final section of the Participation Review discussion paper seeks feedback from council on any improvements that could be considered to council elections.

As noted in the discussion paper, the review of the Electoral Commissioner which is undertaken following each periodic council election is expected to consider:

- Any modifications that may be needed following legislative changes introduced in 2022. In particular, the obligations for members to provide their campaign donations returns directly to ECSA, and their automatic loss of office for failure to do so will be considered, given the significant issue this caused in early 2023, when special legislation needed to be passed to restore 45 members to office who had lost their positions for this reason.
- Any matters raised by the Court of Disputed Returns, or other illegal practices found by the Electoral Commissioner, which may require legislative amendment to protect the integrity of election processes.
- Any other matters raised, or improvements identified, by the Electoral Commissioner in his review of the 2022 periodic elections (this report is anticipated before the end of the 2023 calendar year).

The LGA successfully advocated for legislative change to reinstate members who lost office as a consequence of non-lodgement of campaign donation returns. There were a number of factors discussed following this event, in particular, the extreme nature of the consequence for non-lodgement of what was in many cases a 'Nil' return. This is an example of where a change to the legislation should be pursued, to avoid the significant disruption and costs to councils.

ECSA has not yet published its report into the November 2022 council elections. The LGA Secretariat will review the report once it becomes available to identify other matters that may warrant action as part of the Participation Review.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 4—Election improvements	Council comments
Do you have any ideas to improve council elections?	

LGA CONSULTATION QUESTIONS: 4—Election improvements	Comments
Campaign donation returns: What legislative changes should be pursued based on the campaign donation return experience in the 2022 council elections?	
What issues did your council encounter with the operation of the legislation during the 2022 council elections that warrant action? What action do you propose?	
What issues did your council encounter with the Electoral Commission SA and delivery of the 2022 council elections that warrant action? What action do you propose?	
Are there any other matters relating to election improvements you wish to raise?	



Attachment 1

Proposed Community Engagement Charter (CEC)

(as submitted to the Minister)

November 2021



This document sets out the LGA proposed Community Engagement Charter (CEC) as submitted to the Minister for Local Government in November 2021.

The Minister retains the discretion to determine the content of, and publish, the CEC in accordance with the requirements of section 50(1) of the Local Government Act 1999.

This resource has been prepared by the Local Government Association of SA (LGA) to assist councils with implementation of legislative changes arising from Local Government Reforms, incorporating advice from Norman Waterhouse Lawyers, for the guidance of and use by member councils.

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Introduction

The *Local Government Act 1999* (the Act) recognises that it is not always appropriate for legislation to mandate that all community engagement should be conducted in the same manner for all decisions in every region of South Australia. The Act encourages councils to take a more fit-for-purpose approach to engagement, taking into account the particular matter under consideration, the type and needs of the local community and the advantages of new technology.

The Principles of the Act

Section 50 of the *Local Government Act 1999* sets out the principles underpinning this Charter as follows:

1. members of the community should have reasonable, timely, meaningful and ongoing opportunities to gain access to information about proposed decisions, activities and processes of councils and to participate in relevant processes;
2. information about issues should be in plain language, readily accessible and in a form that facilitates community participation;
3. participation methods should seek to foster and encourage constructive dialogue, discussion and debate in relation to proposed decisions, activities and processes of councils;
4. participation methods should be appropriate having regard to the significance and likely impact of proposed decisions, activities and processes;
5. insofar as is reasonable, communities should be provided with information about how community views have been taken into account and reasons for actions and decisions of councils.

These principles are consistent with principles adopted by individual councils over many years. They are informed by the International Association for Public Participation (IAP2) Core Values.

Purpose of the Community Engagement Charter

The views of the community are essential in helping to inform council decision-making processes.

This Community Engagement Charter (the Charter) relates to:

- community consultation and participation with respect to any decision, activity or process where compliance with the Charter is required by the Act; and
- any other circumstance where compliance with the Charter is required by the Act.

The Charter provides members of the community with the information they need to understand how councils approach decisions and an understanding of how they can effectively engage in local government matters and inform decision-making by councils.

The Charter includes the following components:

- categories of statutory process;
- mandatory requirements for all councils;
- adoption of community engagement policy;

- measuring performance; and
- giving of public notice.

Nothing in this Charter should be taken to limit a council's ability to undertake other forms of community consultation or engagement, including other engagement methods, in respect of any decision, activity or process. Furthermore, a council, chief executive officer or delegate is not obliged to consider whether to undertake such other consultation or engagement before making the relevant decision or undertaking the relevant activity or process.

Categories of Statutory Processes

The Act provides the Charter may establish categories of statutory processes to which various parts of the Charter will apply.

The following categories are established:

Category A Statutory Processes	Category B Statutory Processes
<ul style="list-style-type: none"> • Section 12 – Composition and wards • Section 13 – Status of a council or change of various names • Section 50A – Public consultation policies • Section 92 – Access to meetings and documents – code of practice • Section 122 – Strategic management plans • Section 123 – Annual business plan and budget • Section 151 – Basis of rating • Section 156 – Basis of differential rates 	<ul style="list-style-type: none"> • All other decisions, activities and processes where a council is required by the Act to undertake public consultation

Mandatory Requirements for all Councils

The Act provides the Charter may, in relation to each category of statutory processes established by the Charter, specify mandatory requirements.

Category A Statutory Processes

The mandatory requirements for community consultation and participation in relation to Category A statutory processes are as follows:

Requirement	Specified Means
1. Give notice of the proposed decision, activity or process by at least one of the specified means	<ul style="list-style-type: none"> • Notice in a newspaper or other publication circulating in the area of the council • Notice on a website determined by the council or chief executive officer • Notice on a social media platform maintained by the council • Notice published in the Gazette
2. Invite interested persons to make submissions by way of at least one of the specified means	<ul style="list-style-type: none"> • Written submission within at least 21 days of the giving of notice • Completion of a survey or questionnaire within at least 21 days of the giving of notice • Provision of an online response via social media within at least 21 days of the giving of notice • Attendance in person, by representative or via electronic means at a council meeting or public meeting held at least 21 days after the giving of notice • Attendance in person, by representative or via electronic means at a workshop, focus group or interview held at least 21 days after the giving of notice
3. Give consideration to any submissions made in response to an invitation by specified means, as appropriate	<ul style="list-style-type: none"> • Report presented to a council meeting for consideration by council members • Submissions considered by the person or body with delegated authority to make the proposed decision or undertake the proposed activity or process (if delegable)
4. Insofar as is reasonably practicable, provide information about how community views were taken into account and reasons for decisions or actions of councils by way of at least one of the specified means.	<ul style="list-style-type: none"> • Report presented to a council meeting for consideration by council members • Information published on a website determined by the council or chief executive officer • Outcome of decision communicated to persons who made submissions (where an email or physical address was provided). • Outcome of decision communicated to person(s) affected by the decision (where contact details provided).

There is no obligation on a council to utilise more than one of the specified means in respect of each requirement.

A determination about which specified means will be utilised for each requirement may be made by:

- the council;
- the chief executive officer; or
- a delegate with power to make the relevant decision or undertake the relevant activity or process.

Category B Statutory Processes

The mandatory requirements for community consultation and participation in relation to Category B statutory processes are as follows:

Requirement
Comply with the council's community engagement policy adopted under section 50A of the Act.

Adoption of Community Engagement Policy

Section 50A of the Act requires a council to prepare and adopt a policy relating to community engagement for the purposes of the Act. A council must undertake public consultation in the preparation of its community engagement policy.

Information about a council's community engagement policy, and how the community can have input into the policy, must be accessible on a council's website.

A community engagement policy adopted by a council must provide for the undertaking of community engagement in respect of Category B statutory processes.

A community engagement policy adopted by a council may provide for:

- the undertaking of additional community engagement in respect of a Category A statutory process;
- the undertaking of community engagement in respect of a decision, activity or process that is neither a Category A nor a Category B statutory process.

The following principles and performance outcomes must be considered when a council adopts or alters a community engagement policy or substitutes a new policy.

The principles are a reference point for good engagement. If councils have regard to the principles of engagement in the preparation a community engagement policy, then the public can have confidence that the community engagement conducted pursuant to that policy will be appropriate and effective.

It is acknowledged that a council may not necessarily be able to accommodate all views in a final outcome of a consultation process. However, engagement should facilitate a wide spectrum of views to be captured and reported. Feedback gained during community engagement is one of many factors that will be considered by the decision maker.

Principle	Performance Outcome
Members of the community should have reasonable, timely, meaningful and ongoing opportunities to gain access to information about proposed decisions, activities and processes of councils and to participate in relevant processes.	Information about decisions and how to access and contribute to the decision-making process is available and facilitates participation by affected and interested people.
Information about issues should be in plain language, readily accessible and in a form that facilitates community participation.	Information is made available using communication methods that reach the affected stakeholders, who can access it and understand how the matter would affect them.
Participation methods should seek to foster and encourage constructive dialogue, discussion and debate in relation to proposed decisions, activities and processes of councils.	The engagement method(s) enable the participation of the community in deliberation on council decisions.
Participation methods should be appropriate having regard to the significance and likely impact of proposed decisions, activities and processes.	The engagement method(s) meet objectives specific to the engagement process.
Insofar as is reasonable, communities should be provided with information about how community views have been taken into account and reasons for decisions or actions of councils.	Where relevant, people understand how their views are considered, the reasons for the outcomes and the final decision that was made.

Measuring Performance

Community engagement is undertaken to achieve better outcomes, decisions, projects and policies.

Establishing engagement objectives, and then measuring progress, helps to gauge how successful the engagement process has been. Evaluation can build transparency and accountability. It can contribute to the evidence base, identify good engagement practice and improve future practice.

Examples of how councils may measure engagement processes:

- number of formats used to distribute information;
- number of views and downloads on a website;
- number of registrations for engagement activities;
- numbers of participation/interactions in engagement activities;
- number of comment forms or questions submitted;
- number of methods used to allow for dialogue and deliberation;
- number of objectives set for the decision-making process that were met;
- levels of satisfaction with the decision-making process.

Giving Public Notice

The Act states that the Charter may provide for the giving of public notice under the Act.

Where the Act requires public notice to be given, public notice may be given for a specified matter by a notice:

- published on a website determined by the council chief executive officer; and
- available for inspection upon request at the principal office of the council.

The specified matters are as follows:

Section 93(2) – Meeting of electors
Section 184(4) – Sale of land for non-payment of rates
Section 197(3) – Adoption of management plan
Section 198(4) – Amendment or revocation of management plan
Section 219(7) – Adoption or altering of a policy relating to assigning or changing a name of a road or public place
Section 237(4) – Notification of removal of vehicle where the owner is unknown or cannot be found
Section 234A(6a) – Prohibition of traffic or closure of streets or roads

Further Information

The LGA Community Engagement Guide provides additional information and support resources that supplements this Charter.

If you would like more information about your council's approach to engagement or to learn about how you can be more involved, the starting place is your local council's website. If you do not have access to the internet, council staff will be able to assist.



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of South Australia

The voice of local government.

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Attachment 3

27 October 2021

Mr Clinton Jury
Chief Executive officer
Local Government Association of South Australia
GPO Box 2693
Adelaide SA 5001

Via email: governance@lga.sa.gov.au

Dear Mr Jury

In response to the Local Government Association's (LGA) recent call for feedback regarding the Community Engagement Charter and the Community Engagement Policy, I am pleased to provide this reply on behalf of Council.

Community Engagement Charter

Council supports the current version of the Community Engagement Charter (the CEC).

Council acknowledges that there are still a number of steps before the final version is adopted, nevertheless the current version is considered satisfactory from a Council perspective. In particular, Council is pleased that the CEC maintains a principles-based, rather than prescriptive, approach. This will allow Council to make decisions in the best interests of its community by being able to scale engagement according to anticipated effects.

There are a small number of minor grammatical suggestions that may improve the clarity of the document (marked in the attachment) but these do not detract from Council's overall support of the CEC as proposed.

Community Engagement Policy

Council notes the model policy provided by the LGA. As this model policy is a supporting document and is not part of the legal framework, Council has elected to not provide comment on the document. Council will consider its own policy positions once the CEC is finalised and will develop a policy at that time, taking into account the LGA's supporting resources.

Council thanks the LGA for their ongoing advocacy in representing our sector's interests in relation to the reforms.

Yours sincerely



Roberto Bria
Chief Executive Officer



Attachment 4



AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

PARTNERS IN PROGRESS

2022

NATIONAL GENERAL ASSEMBLY

19 - 22 JUNE 2022

BUSINESS PAPERS

[NGA22.COM.AU](https://nga22.com.au)

ADDITIONAL ISSUES

Motion number 96 City of Holdfast Bay SA

This National General Assembly calls on the Australian, state, and local government associations to investigate and, where feasible, work with willing councils to trial innovative public governance models (including liquid democracy) to strengthen the connectivity and relevance of the local government sector into the future.

OBJECTIVE

Trust in government has been in decline for decades across the globe. Notwithstanding this, trust increases with localisation. Where there is local trust, this should be used to strengthen the overall health of democracy.

For better or worse, technology has been disrupting every sphere of human endeavour at an increasing rate, leading to greater community expectations across the board. The same things cannot keep being delivered in the same ways.

While the principles of democracy are arguably more important today than they've ever been, the perceived relevance of institutions, including governments, is waning.

With the exception of universal suffrage being introduced, the existing model of democracy has remained largely unchanged for over a century. Public governance has been one of the last segments to explore and implement opportunities that new technologies offer, communities expect, and waning trust requires. Exploring such opportunities proactively and courageously can help rebuild trust in government and futureproof the connectivity and relevance of the local government sector into the future, particularly in the face of diminished trust, and ongoing pressures to streamline or minimise government expenditure.

KEY ARGUMENTS

The Edelman Trust Barometer, an annual global survey of more than 36,000 respondents in 28 countries, has tracked trust for over 20 years. The Barometer has tracked an alarming erosion of trust in government, which is now the least trusted sector and widely perceived as being unable to solve societal problems.

While local governments are generally perceived as more trustworthy than their federal counterparts, there is nevertheless a significant trust gap. If left unchecked, a cycle of distrust can negatively affect social stability. On the other hand, there is an opportunity to build on existing local trust to strengthen the social fabric of our nation, from the ground up.

While technology has the potential to create significant gains and benefits, it has also contributed to social, economic, and environmental volatility, uncertainty, complexity, and ambiguity (VUCA) at local, state, national and global levels. Echo chambers, fake news, manufactured outrage and being addictive by design have all contributed to the fraying of social fabrics and have sown seeds of distrust and discontent.

Technology has also put pressure on all services to be fast/immediate, available anytime, personalised, and available via many channels (including digital). Expectations for services of this kind create a stark contrast against public governance models, which are not real-time or digitally accessible, and tend more towards bluntness than nuance or personalisation. Examples include party-line voting and only being able to exercise a vote every several years. With such a substantial contrast, it's not difficult to understand why many people eschew engagement in public governance.

In the face of VUCA conditions and threats to social stability, the health, strength, and vitality of democracy are all the more important. While voting is compulsory across all levels of government in many parts of Australia, trust levels indicate an underlying level of disengagement. Many people across our communities have forgotten (or are unaware of) Franklin D Roosevelt's words that 'government is ourselves and not an alien power over us'.

Innovative public government models can reverse the cycle of distrust and negative perceptions of relevance, while improving connectivity. Such models could include liquid democracy (delegative democracy whereby a community engages in collective decision-making through direct and dynamic participation), amongst others.

Choosing to proactively explore and, where feasible, trial new models of public governance can ensure local government builds on its strengths, provides added levels of connectivity to its communities, and leads by example, for state and federal counterparts to learn from. It also demonstrates significant courage and foresight, which are in keeping with the values and characteristics often found in local government.

The first steps would be to explore and articulate a range of possible models, followed by small-scale trials to test feasibility. Undertaking this as a sector-wide initiative protects democracy and provides appropriate public governance oversight, while also providing pathways to implementation should new models be worthwhile.

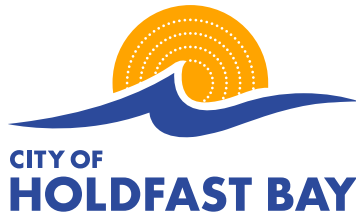
Motion number 97 Livingstone Shire Council QLD

This National General Assembly calls on the Australian Government to write to each state Premier, requesting that future COVID mandates that are likely to have negative impacts on local businesses and unvaccinated members of our communities be discussed with the ALGA Executive prior to introduction.

OBJECTIVE

A meeting of approximately 400 local business owners was held in Yeppoon on 15 November 2021 to raise concerns about the restrictions being introduced by the Queensland Government apparently to curb the spread of COVID-19 in the community, and to increase vaccination rates. This number represented the majority of businesses in Livingstone Shire.

Attachment 5



ECM Doc ID: TBA

24 January 2024

Mr Clinton Jury
Chief Executive Officer
Local Government Association of South Australia
GPO Box 2693
ADELAIDE SA 5001

Via email: governance@lga.sa.gov.au

Dear Mr Jury

Local Government Participation and Elections Review

In response to the recent call for feedback by the Local Government Association of South Australia (LGA) to the Local Government Participation and Elections Review, I am pleased to provide this reply on behalf of Council.

Council will also be submitting a direct response to the State Government, a copy of which will be forwarded to the LGA for information in due course.

Council's response is informed by these key principles:

- The needs and expectations of communities vary widely across the state. As such, a 'one size fits all' approach should only be taken sparingly, and only when the benefit to all significantly outweighs the potential inequities created by standardisation. Whenever possible, clear outcome-based principles should be set for guidance, enabling methodologies to stay flexible to enable local contextualisation and responsiveness to changing conditions.
- The core intent of both representative democracy and community participation is for citizens to choose outcomes. There is a power balance between citizens and elected officials which must be constantly navigated and managed, but more often than not, it should err on the side of 'the community should decide'.
- Harmonisation in processes governing elections is desirable, short of introducing political party dominance to local government. Local government elections are just as important as federal or state elections. As such, they deserve the same levels of rigour and integrity, which should be met through the harmonisation of processes and continuing management by the Electoral Commission of South Australia.
- While it is desirable to attract the highest calibre of candidates, elections must be even playing fields. Local government elected members should remain reflective of their local community, and not be determined by political party affiliations. Furthermore, information provided about

candidates during elections should be useful to inform citizen decision-making, but not be unnecessarily prejudicial.

- Council administrations should be enabled and supported to be neutral in the matter of elections. Just as the Australian Electoral Commission and ECSA, not the broader public service, manage federal and state elections, council officers should not be required to be involved in local elections.
- Being an elected member at any tier of government is a serious responsibility. Diversity is critical but should not be pursued at the expense of competence. Barriers to entry must be limited to a person's ability to fulfill the needs of a role, not the process by which to attain it.
- There is a need for federal, state and local governments to work in partnership to effectively deliver the services that Australians rightly expect. No tier can do it alone and cooperative models should be sought wherever possible, acknowledging that each tier has particular obligations and strengths.

Engaging with Councils and the Community Engagement Charter

Per Council's letter of 27 October 2021, the current version of the Community Engagement Charter (the Charter) is supported. Council strongly supports a principles-based, rather than prescriptive, approach. Maintaining a principles-based approach enables all councils to effectively serve their communities, rather than being subject to a directive regime that may not be practical in their circumstances or meet their community's needs and expectations. Given the many differences between councils and communities, a 'one-size fits all' approach is rarely effective and commonly leads to administrative burdens for little gain.

That said, a minimum timeframe for legislative engagements is reasonable to mandate, however, the decision for how to engage should be at the discretion of each Council, guided by the best-practice principles in the *Local Government Act 1999* (the Act), which can be contextualised in each council's engagement policy.

One matter which could be given greater consideration (whenever possible) is which subjects and processes are subject to 'mandatory' engagement. While it is acknowledged that the list of mandatory engagements generally contains matters that ideally *should* be of interest to all citizens, the reality is that many of these statutory engagements receive low levels of engagement.

People are generally more likely to be engaged when they can be involved in a decision, take an action or see a direct relationship between their involvement and an action occurring. Filling in surveys or responding to consultation documents (especially when they relate to what people perceive as matters of bureaucracy) generally attracts only those respondents who are already strongly interested in the topic. Unfortunately, that also typically means that the most strongly held, often most polarised views are disproportionately expressed, while the majority who may have other, more loosely held, views are not compelled to participate.

To build interest in civic engagement and increase trust so that governments can be seen by citizens as partners, governments at every level need to shift to more participatory engagement. While local government is an ideal tier to experiment with participatory engagement, and Council did, in 2022, put forward a motion to the National General Assembly (refer Attachment 1) to trial participatory models including liquid democracy, making this shift is not simple. Participatory engagement requires a high level of openness and flexibility, few pre-conceptions, and a willingness by elected officials to share power (to varying degrees). As elected officials (at all tiers of government) bear the brunt of public opinion, it is easy to understand why participatory engagement is seen as risky, even when evidence shows that done well, it is less polarising and results in better decision-making. It also takes

time and resources to do well, which is why it has been historically difficult to apply to mandatory, heavily prescribed or bureaucratic topics. Supporting a shift to more participatory engagement needs to be done with resources and via a partnership approach, rather than handed top-down as a legislative regime.

The current principles in the Act provide a sound framework for high quality engagement. Supporting elected officials to understand community engagement, their roles and responsibilities and different engagement methodologies via mandatory training could both support council members to engage with their constituencies and ensure that councils continue to grow and improve their engagement efforts with appropriate policies and resourcing decisions.

With regard to electronic meetings, the participation by electronic means is supported, as long as councils make appropriate investments in infrastructure to ensure a high quality experience for all participants. The matter of livestreaming/recording should be left to each council to decide.

While livestreaming and/or recording council meetings can improve accessibility for some segments of communities, it may not increase engagement broadly while exposing elected members to the many risks of having an extensive digital presence. There are genuine risks in having significant digital content of a personal nature such as face and voice online. While many people put such information into the public sphere voluntarily, there are nevertheless practical and ethical questions about whether this should be mandatory for people wanting to engage in public service. For some people, it may act as a barrier to participation, even if it does result in a potentially larger number of members of the public viewing meetings than would typically attend a public gallery (noting that an increase in viewers is not guaranteed and did not appear to substantively occur during COVID). In any case, viewing a meeting only serves to inform – it does not increase participation per se.

More Candidates, Greater Diversity

The notion of having more candidates for citizens to choose from during elections, and having a greater diversity of candidates is supported in principle. Local governments should be broadly representative of their community, which includes a full spectrum, not just a majority 'type'.

Diversity must be balanced against suitability and ability to fulfill the functions of a role. For example, it would be reasonable to expect a minimum level of integrity and good character from elected officials, so a standard such as having to have a current 'working with children' check could be appropriate.

Undoubtedly, there is a wide spectrum of initiatives that could be implemented, which may attract candidates from historically under-represented groups. Operational tactics such as increasing allowances, changing meeting times, increasing electoral promotion, and the nominations process itself may be useful but will still require a high level of local contextualisation. It is questionable whether such tactics would make a significant difference across the board, or only in pockets.

Structural approaches such as removing wards, setting term limits or linking candidacy to boundary changes are likely to make significant differences system-wide, however, not necessarily for the better. Structural levers should be approached with due care, and a wide range of scenarios should be considered. It is suggested that before any structural changes are progressed, the State work in partnership with councils to define the problems to be solved and assess the detailed impacts of any structurally based solutions prior to legislative proposals being formed.

Furthermore, the principle of harmonisation between tiers of government should be strongly

considered when considering these matters. Ideally, any innovations adopted at local government level to improve diversity and civic engagement should flow up to state and federal levels to improve governance outcomes across the board.

Improving Voter Turnout

Local government elections are as important as state and federal elections. As such, making voter participation compulsory is in keeping with the harmonisation principle. If voter participation was to be made compulsory, it would be critical to ensure that a diversity of candidates is still attracted, so as to prevent the sector being dominated by political parties.

Participation in elections should be made as simple and as equitable as possible. ECSA have made it clear that improving access via technology is not currently a viable option, therefore, voting participation options should be increased via as many analogue means as possible. While voting in person can be adopted, it should not be at the expense of postal voting, which is a very convenient and accessible way for many people to vote.

On the matter of franchise, harmonisation is a key principle to balance against maintaining a local voice. While the ability to add electors via a supplementary roll is supported for property and business owners and to represent particular groups of electors (as is currently the case), it is a peculiar exception that non-Australian citizens may vote in local elections but not state or federal ones.

A change in election timing is supported, to prevent confusion and reduce voter fatigue.

Per previous comments, additional promotion by councils is not supported. Just as informing candidates should be done uniformly and by a neutral party, so should informing voters. It is considered inappropriate to expend council funds on political advertising.

Council Elections – Other Matters

It is acknowledged that recent issues relating to campaign donation return requirements were vigorously defended by the LGA in the broad interests of the sector. Notwithstanding the unexpectedly high number of candidates who fell foul of return provisions and the LGA's view that the consequences were disproportionate to the seriousness of the breach, the fact remains that the overwhelming majority of candidates complied and met requirements. Even a large number of non-compliances should not be taken to be an inherent fault in the system, particularly if the principles hold true that local government should seek to attract the highest calibre of candidates and that roles (and the compliance requirements associated with them) are serious and important.

Yours sincerely

Roberto Bria
Chief Executive Officer

Item No: 15.6

Subject: **COUNCIL CIVIC FUNCTIONS, AWARDS, CEREMONIES AND OPENINGS POLICY**

Summary

Council's Civic Functions, Awards, Ceremonies and Openings Policy has been reviewed and updated for Council approval.

The purpose of this policy is to provide guidance on the conduct of the Council's civic functions, awards and ceremonies. It also provides guidance on how Council manages protocols around but not limited to official openings and launches, sod turning, unveilings, official visits and formal civic receptions and flying of flags at Council locations.

Recommendation

That Council adopts the updated Council Civic Functions, Awards, Ceremonies and Openings Policy.

Background

The City of Holdfast Bay is proud of its heritage, citizens and community volunteers and so chooses to recognise various events and the contributions made by members of the community through ceremonies and the presentation of awards.

Council recognises the significance of Proclamation Day, held on 28 December each year, to a diverse group of South Australians including Aboriginal South Australians and decedents of first settlers. In keeping with State protocol, a ceremony is held each year at the Old Gum Tree Reserve.

Council recognises Australia Day as a time to celebrate a contemporary diverse and democratic nation, to welcome new citizens to our community and to recognise achievements. In keeping with Federal Government policy, the Council holds citizenship ceremonies at regular intervals throughout the year.

The Council holds several functions throughout the year which includes but is not limited to official openings and launches; sod turning, unveilings, official visits; and formal civic receptions.

Report

The Council Civic Functions, Awards, Ceremonies and Openings Policy was first issued in 2007, reviewed in 2020 and has recently been updated to include a specific section about official openings (exhibitions and facilities). In particular:

The official openings, launches, and events for council services, exhibitions, or facilities will take place under certain conditions. These conditions include approval by the Chief Executive Officer, requirements specified in grant agreements, or considerations deemed appropriate by the Council. State Government Members of Parliament may be invited to conduct official openings based on grant funding requirements or decisions by the Chief Executive Officer or Council. The invitation list for such events may include elected members, the Senior Leadership Team, Council Administration, and relevant community members. For official visits, the Mayor and Chief Executive Officer will collaboratively determine the remaining individuals on the invitation list.

In addition to the new content, the title of the policy has also been updated to reflect 'openings'.

Refer Attachment 1

An Organisational Flying of Flags Procedure exists to complement the Council Civic Functions, Awards, Ceremonies, and Openings Policy. Notably, Council endorsement is not required for this procedure as it falls under the purview of organisational procedures.

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Council's vision for 2050+ is, in part, to create "a welcoming and healthy place for all in South Australia's most sustainable city".

Furthermore, Council's Strategic Plan Our Holdfast 2050+ includes the following aspirations:

- Our residents and visitors feel safe, healthy and connected no matter their age and ability
- We encourage socially responsible, sustainable and innovative economic development
- We apply creativity in all aspects of thought and action to build an economy and community that are inclusive, diverse, sustainable and resilient.

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: Manager City Activation
General Manager: Community and Business, Ms M Lock

Attachment 1

CIVIC FUNCTIONS, AWARDS, CEREMONIES AND OPENINGS

Council Policy

1. Purpose

This policy provides guidance on the conduct of the Council's civic functions, awards and ceremonies. It also provides guidance on how Council manages protocols around but not limited to official openings and launches, sod turning, unveilings, official visits and formal civic receptions and flying of flags at Council locations.

2. Scope

This policy applies to the whole of Council, including Alwyndor, and any other persons involved in events and activities relevant to this policy.

This policy does not apply to other government representatives in attendance or events without official protocols or associated formalities, such as the Glenelg Christmas Pageant or Santos Tour Down Under.

3. Roles and Responsibilities

Council	Adopt a policy outlining the principles for civic functions, awards, ceremonies and openings.
Council Members	Maintain a thorough understanding of the policy to ensure obligations and requirements are fulfilled.
Chief Executive Officer	Ensure civic functions, awards, ceremonies and openings are organised/held in accordance with the principles contained in policy. Provide necessary approvals as outlined in policy.
General Manager Community & Business and Manager City Activation	Accountable for maintaining, reviewing and updating the policy. Assist council members in the administration of the policy.
Executive Officer & Assistant to the Mayor	Assist council members in the administration of the policy.
Executive Assistant to GM Community & Business	Accountable for ensuring that proper protocols are followed and managing the administrative aspects of an event.
Event Coordinator	Accountable for planning, organising, and executing the various events.

4. Policy Statement

The Proclamation Day Ceremony and Commemoration

- 4.1 The Proclamation Day Ceremony and Commemoration will be held on 28 December each year regardless of when the public holiday is declared.
- 4.2 Kurna representatives will be appropriately consulted in the planning of the ceremony and commemoration.
- 4.3 The format of the ceremony and commemoration is to be endorsed by Council each year.
- 4.4 The invitation list for the Proclamation Day Ceremony and Commemoration will be determined by the Mayor and Chief Executive Officer.

Australia Day - Community Awards and Citizen of the Year Awards

- 4.5 A selection panel will be formed to assess nominations for the Australia Day Community Awards and Citizen of the Year Awards, comprised of the Mayor, two (2) Elected Members, and the Chief Executive Officer.
- 4.6 The selection panel will use the National Australia Day Council, Australian of the Year Awards criteria.
- 4.7 That up to four awards will be presented in any one year, with no more than two awards presented in any category. The awards are:
 - Citizen of the Year
 - Young Citizen of the Year
 - Community Event of the Year
 - Local Hero.
- 4.8 A member of Council shall not be nominated for an award while they are in office.
- 4.9 Recipients of awards shall be residents of the City of Holdfast Bay or have made a significant contribution to the Holdfast Bay Community.

Days of National Commemoration

- 4.10 Local RSL branches hold commemorative events at Glenelg and Brighton on Anzac Day (25 April) and Remembrance Day (11 November) each year.
- 4.11 Council may provide logistical support for these events, although the order of service and invitation list is the responsibility of the relevant RSL branch.

Recognition of Elected Member Service

- 4.12 The Australia Day ceremony following a Local Government Election is an appropriate occasion to recognise retiring and non-retired elected members' contributions to the community during their time on council.
- 4.13 From time to time, Elected Members serve the community of Holdfast Bay for more than 10 years. The Council recognises the value of this sustained community service and recognises their individual contribution by placing their names and years of service on the Honour Board in the Council Chamber at the Glenelg Town Hall.

Citizenship Ceremonies

- 4.14 Australian citizenship ceremonies provide a chance to celebrate citizenship as the bond which unites us all, whether we are Australian by birth or by choice.
- 4.15 Citizenship ceremonies conducted by the Council must fulfil the legal requirements prescribed by the *Australian Citizenship Act 2007* (Cth) and the Australian Citizenship Regulations 2007 (Cth).
- 4.16 Citizenship ceremonies are conducted under the authority of the Australian Government minister responsible for citizenship matters and in accordance with the Australian Citizenship Ceremonies Code.
- 4.17 The Minister has authorised the Mayor, Deputy Mayor and Chief Executive Officer (or those acting in the position) to be the Presiding Officer at Citizenship Ceremonies.
- 4.18 Citizenship Ceremonies are a public ceremony which provides an important opportunity to formally welcome new citizens as full members of the Australian community.
- 4.19 Citizenship ceremonies are to be held in an apolitical, bipartisan and secular manner involving all three tiers of government.

Civic Receptions and Functions

- 4.20 The Chief Executive Officer will determine whether a civic reception or function may be held, or whether to refer the decision to Council. Civic receptions or functions may include the recognition of community achievement, Proclamation Day and Australia Day.
- 4.21 The invitation list to all civic receptions or civic functions will include:
 - all Elected Members of the City of Holdfast Bay.
 - the Senior Leadership Team of the City of Holdfast Bay.
 - all State and Federal members of parliament for the Council area.
- 4.22 The remainder of the invitation list for any civic reception or function will be determined collaboratively by the Mayor and Chief Executive Officer.
- 4.23 The costs for a civic reception held in partnership with a community organisation will be shared equally between the organisations.

Official Visits

- 4.24 The Mayor and Chief Executive Officer may host receptions with light refreshments for visiting dignitaries and visitors from Australia and overseas, local authorities and state government representatives.
- 4.25 The receptions will be held to ensure that Council is seen in the best possible manner.
- 4.26 The invitation list for official visits will include:
 - all elected members of the City of Holdfast Bay.
 - the Senior Leadership Team of the City of Holdfast Bay.
- 4.27 The remainder of the invitation list for any official visit will be determined collaboratively by the Mayor and Chief Executive Officer.

Official Openings Exhibitions and Facilities

- 4.28 Official openings, and launches of council services, exhibitions or facilities will occur when
 - deemed appropriate by the Chief Executive Officer.
 - where associated grant or other Agreements require an official opening.
 - otherwise deemed appropriate by Council.
- 4.29 Government ministers will be invited to conduct the official opening where the grant funding stipulates this must occur, or when deemed appropriate by the Chief Executive Officer or Council.
- 4.30 The invitation list for official openings, exhibitions and facilities may include:
 - all elected members of the City of Holdfast Bay

- the Senior Leadership Team of the City of Holdfast Bay
 - Council Administration and any community members involved in the project/activity.
- 4.31 The remainder of the invitation list for any official visit will be determined collaboratively by the Mayor and Chief Executive Officer.

Protocols and administration

- 4.32 The Protocols and administration for Proclamation Day Ceremony and Commemoration, awards, citizenship ceremonies, official visits and openings is coordinated and managed by the General Manager Community & Business.
- 4.33 The administration for the recognition of Elected Member service is coordinated and managed by the Office of the Chief Executive.
- 4.34 In the absence or unavailability of the Mayor, the Deputy Mayor may undertake Civic and Ceremonial duties on behalf of the Council.

Flags

- 4.35 The flying of flags is an important civic function and a consistent approach to the flying of flags in the care and control of the Council is necessary to ensure that all locations are managed appropriately.
- 4.36 The City of Holdfast Bay will on all occasions, at a minimum, fly at all locations under its care and control¹ the Australian National Flag and the Aboriginal Flag².
- 4.37 Flags will be flown in accordance with the protocols issued by the Australian Government.

Flags may be flown if they are:

- 4.38 An Australian national flag recognised by the Australian Government pursuant to the *Flags Act 1953* (Cth).
- 4.39 The Australian Aboriginal Flag.
- 4.40 The Torres Strait Islander Flag.
- 4.41 The South Australian State Flag.
- 4.42 The City of Holdfast Bay ensign (bearing the Council's official logo).
- 4.43 The Pride Flag (on an annual basis during the Feast Festival, in support of the LGBTIQ+ community and consistent with Council's policies).
- 4.44 Flags of another nation, subject to Council's approval, and subject to the appropriate permissions being sought.
- 4.45 Flags flown in a symbolic gesture of inclusiveness and multiculturalism, subject to Council's approval, and subject to the appropriate permissions being sought.

Flags will be flown at half-mast for days of National Commemoration and when directed by the Australian or State Governments through a published broadcast from the Commonwealth Flag Network or Protocol Unit of the Department of the Premier and Cabinet.

Other commemorations

- 4.46 Other requests for commemorations, such as lighting up buildings or other infrastructure, will be considered in the first instance by the Chief Executive Officer, and referred to Council if necessary.

¹Flag Pole Locations: Brighton Civic Centre (2 Internal Halyard Poles); Moseley Square, Glenelg (6 Internal Halyard Poles, Holdfast Shores – Anzac Plaza (1 Internal Halyard Pole); and Brighton War Memorial (1 pole) – only used on Anzac Day.

² Where there is more than one flag pole.

5. Definitions

Key term or acronym	Definition
Proclamation Day	means 28 December each calendar year and is also known as Commemoration Day. It marks the establishment of government in South Australia with the reading of the Proclamation by Governor John Hindmarsh on 28 December 1836. The day also acknowledges the settlement of South Australia and the displacement this caused for Aboriginal South Australians.
Citizenship Ceremony	means the ceremonial occasion where approved candidates have their Australian Citizenship conferred.
Civic Function	means to an official Council function held for a specific purpose (for example, official openings) with delegates from local and state government often in attendance.
Official Visits	means to host guests from interstate and international local governments and other agencies.
Presiding Officer	means a person who has been authorised in writing by the Australian Government to confer citizenship.
Days of National Commemoration	means Anzac Day and Remembrance Day.
Local Government Election	means to a general election under the <i>Local Government Act 1999</i> .

6. Administration Use Only

Reference Number:	
Strategic Alignment:	<p>Council's vision for 2050+ is, in part, to create "a welcoming and healthy place for all in South Australia's most sustainable city". Furthermore, Council's Strategic Plan <i>Our Holdfast 2050+</i> includes the following aspirations:</p> <ul style="list-style-type: none"> • our residents and visitors feel safe, healthy and connected no matter their age and ability. • arts and culture create vibrancy, celebrate creativity, and encourage people to connect with country, place and each other.
Strategic Risk:	Poor or ineffective Community Service delivery
Responsible Officer(s):	<p>General Manager Community & Business Manager City Activation Executive Officer & Assistant to the Mayor Executive Assistant to GM Community & Business Event Coordinator</p>

First Issued / Approved:	11/9/2007, 25/8/2020
Minutes Date and Council Resolution Number:	C250820/2021
Last Reviewed:	X January 2024
Next Review Date:	X January 2028
Applicable Legislation:	<ul style="list-style-type: none"> • <i>Local Government Act 1999</i> • <i>Australian Citizenship Act 2007 (Cth) and Australian Citizenship Regulations 2016 (Cth)</i> • <i>Flags Act 1953 (Cth)</i>
Related Policies:	Flag Procedure
Other Reference Documents:	<ul style="list-style-type: none"> • Australian Citizenship Ceremonies Code - https://immi.homeaffairs.gov.au/citizenship-subsite/files/australian-citizenship-ceremonies-code.pdf • Australian of the Year Awards Criteria - https://australianoftheyear.org.au/nominate • Australian National Flag Protocols - https://www.pmc.gov.au/government/australian-national-flag/australian-national-flag-protocols • City of Holdfast Bay Flying of Flags Procedure • Council's Inclusion Policy • Council's Anti-Discrimination Policy • Vice Regal Guidelines - https://www.governor.sa.gov.au/office-of-the-governor/vice-regal-guidelines • State protocols and acknowledgements State protocols and acknowledgements Department of the Premier and Cabinet (dpc.sa.gov.au)

Item No: 15.7

Subject: COUNCIL SPONSORSHIP POLICY

Summary

A new Council Sponsorship Policy has been prepared with the purpose of stating Council's position with regards to:

- Council receiving sponsorship from a third party for a Council activity, program or event.
 - Council providing sponsorship to another organisation for an activity, program or event.
-

Recommendation

That Council adopts the new Council Sponsorship Policy.

Background

The City of Holdfast Bay includes several areas that are heavily visited by people from outside the City and hosts a number of events that attract and/or accommodate visitors. To enhance, vary or reduce the cost of current events/activities, Council may enter into sponsorship agreements. Sponsorship can be advantageous for all parties; however, Council must ensure all sponsorship agreements do not compromise or bring into question the integrity of Council.

Sponsorship support and the development of partnerships enables Council to deliver a diverse range of events, activities and projects to meet the needs of our city's growing community.

Report

The existence of this policy will assist to ensure that sponsorship is managed in a consistent, open and transparent manner.

The City of Tea Tree Gully, City of Burnside, Port Augusta City Council, and Kangaroo Island Council are among the councils that have implemented sponsorship policies.

The City of Holdfast Bay's Sponsorship Policy outlines specific guidelines to be adhered to by Council and its staff during sponsorship negotiations. It seamlessly aligns with our procurement policy, leading to the inclusion of two specific sponsorship procurement templates within our assortment of contract templates:

- Sponsorship Procurement Receiving Template
- Sponsorship Procurement Providing Template.

Refer Attachment 1

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Council's vision for 2050+ is, in part, to create "a welcoming and healthy place for all in South Australia's most sustainable city".

Furthermore, Council's Strategic Plan Our Holdfast 2050+ includes the following aspirations:

- Our residents and visitors feel safe, healthy and connected no matter their age and ability.
- We encourage socially responsible, sustainable and innovative economic development.
- We apply creativity in all aspects of thought and action to build an economy and community that are inclusive, diverse, sustainable and resilient.

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: Manager City Activation

General Manager: Community and Business, Ms M Lock

Attachment 1

Sponsorship

Council Policy

1. Purpose

The purpose of this policy is to state Council's position on:

- a. receiving sponsorship from a third party for a Council activity, program or event
- b. providing sponsorship to another organisation for an activity, program or event.

This policy establishes a clear set of guidelines for Council and its staff, which must be applied when negotiating sponsorships, to ensure that sponsorship is managed in a consistent, open and transparent manner.

2. Scope

This policy applies to the whole of Council, including Alwyndor.

3. Roles and Responsibilities

Elected Members	Ensure the policy is adhered to when considering sponsorship applications
Delegates executing contracts	<ul style="list-style-type: none">- Ensure the policy is adhered to- Ensure employees are acting within their delegated authority- Responsible for overseeing the execution of contract documents.
All staff	Ensure the policy is adhered to
Procurement Officer (Strategy and Governance)	Assist employees to enter into contract arrangements on behalf of Council, within financial limitations delegated.

4. Policy Statement

The Sponsorship policy affirms Council's commitment to supporting and developing partnerships that enable council to deliver a diverse range of events, activities and projects to meet the needs of our city's growing community.

Part 1 – Event and Activities Partnership Program (Council RECEIVING sponsorship for Council events and activities)

4.1 General Principles

Council, in agreeing to enter into sponsorship arrangements for activities, programs and/or events will apply the following principles:

- a. Sponsorship agreements are contracts and will be in written form, and comply with the principles outlined in this policy

- b. A sponsorship agreement must not impose or imply conditions that would limit, or appear to limit, Council's ability to carry out its functions fully and impartially
- c. There must be no real or perceived mis-alignment between the objectives and mission of Council and those of the sponsor
- d. Council will only accept ethical sponsorship, for example, sponsorship that aligns with Council's policies, the Strategic Plan *Our Holdfast 2050+* and other approved Council plans
- e. New sponsorships may be sought either through advertising or by direct contact with potential sponsors
- f. It is inappropriate and potentially unlawful for any employee or Elected Member to receive any personal benefit from a sponsorship
- g. Any arrangement that pre-dates this policy will be exempt from the requirements, except for proposals over \$5,000, which should be reviewed at a minimum every three years
- h. Council may impose additional conditions on sponsorships or their assessments, as it sees fit.

4.2 Assessment

The relevant delegate will assess sponsorship proposals against the following criteria:

- a. The value of the offer being made, including the relative costs and benefits to Council and the community
- b. The suitability and feasibility of the proposal, including time and resources required from Council to facilitate the arrangement
- c. The length of time (tenure) of the sponsorship being offered
- d. The conditions (if any) of the sponsorship being offered
- e. The risks and opportunities to Council and the community, and how they need to be managed
- f. The ability of the sponsor to meet Council's requirements
- g. Whether the sponsor is in direct competition (same market) with an existing sponsor of a Council event, activity or program
- h. If a proposal appears to contravene 4.1.c of 4.2.d of this policy, it will be assessed according to criteria that will be developed as the need arises. The criteria will be provided to the organisation offering sponsorship, prior to a final determination being made, to allow the organisation to provide supplementary information, as relevant/required
- i. That the sponsorship arrangement presented does not commit Council to endorsing the goods and services from the sponsor outside of the specific sponsored event/activity
- j. Where the sponsorship includes the provision of in-kind goods and services to Council, the goods and services will be evaluated to ensure they provide value for money, meet an identified need and comply with Council policies, and
- k. Whether there are any actual, potential or perceived conflicts of interest between the proposal, or the sponsor, and any members (staff or Elected Members) of the Council.

4.3 Conflict of Interest

Every sponsorship proposal will be assessed against the possibility of a conflict of interest. A proposal may be refused or terminated where, during the life of the sponsorship, the sponsor:

- a. Has a current development application or planning matter before Council, or Council is aware of the possibility of an application or matter coming before Council in the near future
- b. Is, or is likely to be, subject to regulation or inspection by Council which may impose or imply conditions; and where the sponsorship may limit Council's ability to carry out its functions fully and impartially
- c. Has any other matter with or before Council for decision (including but not limited to participation in tenders and delivering projects/activities for Council).

Any individual or organisation with a sponsorship agreement with Council, or proposing to enter into one, will disclose development any actual or potential conflicts of interest as soon as they become aware of them. Failure to adhere to these conditions may result in termination of the sponsorship agreement.

If sponsorship is accepted where a known conflict exists, the reasons for acceptance must be clearly recorded by the approving delegate.

Any sponsorship provided to Council will not influence any other decision of Council.

Elected Members or employees of Council will not accept any gifts or benefits from existing sponsors or any sponsors under assessment.

4.4 Partnerships Sought by Council

From time to time, Council may seek partnerships with private businesses to deliver particular activities.

- a. Council reserves the right to either publicly call for expressions of interest to ensure equal opportunity for all interested parties or to approach potential partners directly
- b. Any partnership proposal issued will clearly outline the opportunities available, as well as the benefits of the partnership to both the proposed partner and to Council
- c. Where possible, Council will preference partnership opportunities from local traders and businesses, and Aboriginal and Torres Strait Islander businesses, in accordance with its Procurement Policy.

4.5 Recognition of Sponsors

Sponsors may be recognised for their contribution in a number of ways, including but not limited to:

- a. Opportunity to display signage and promotional material at selected Council events and activities associated with the sponsorship
- b. Media releases acknowledging the role and contribution of the sponsor
- c. Displays in the foyer of Council's Civic Centre or Library
- d. Acknowledgment of sponsor in promotional material associated with the asset/event/promotion being sponsored
- e. Recognition on Council's website and/or social media.

The extent of such recognition will be determined by the level and nature of the sponsorship. The cost of providing recognition for sponsors must not exceed the value of the sponsorship package being offered to Council.

4.6 Reporting

The City of Holdfast Bay will apply effective monitoring and reporting processes to ensure sponsorships achieve maximum value and accountability. Details regarding key sponsorships received of Council activities, program and/or events will be included in Council's Annual Report.

Part 2 – Event and Activities Attraction Program (Council PROVIDING sponsorship for external events and activities)

4.7 Principles

Council, in endorsing sponsorships for activities, programs and/or events will apply the following principles:

- a. sponsorships may be offered for activities and events that are consistent with the City of Holdfast Bay's Event Strategy 2021-2025, which supports the delivery of events and activities that create a memorable, engaging and innovative experience for locals and visitors in the City of Holdfast Bay, and which:
- b. activities and events will be favourably considered if they:
 - raise awareness of the City of Holdfast Bay and positively contribute to its image and appeal
 - increase visitation and tourism activity
 - contribute to, enhance and grow the local economy

- create positive economic benefits through partnership and collaboration with local businesses, or
 - provide inclusive and accessible experiences.
- c. it is acknowledged that all events and activities are different and unique, as such, the relative importance of the above objectives will vary
 - d. sponsorships will be considered as part of the Council's annual budgeting process.

4.8 Assessment of Sponsorship Grants

In assessing sponsorship requests, the delegate must ensure the request meets the following criteria:

- a. The event is hosted wholly, or in the case of regional events, substantially within the City of Holdfast Bay
- b. The event/activity has widespread appeal and is likely to attract more than 3,000 attendees, or alternatively, meets a specific community need
- c. The event/activity is free or has a substantial portion of free programming (while Council may sponsor an event that charges a modest entry fee, where an entry fee is proposed, the applicant must clearly state if any discount will be applied to City of Holdfast Bay residents)
- d. The total value of the event/activity exceeds the value of sponsorship to be granted
- e. The event/activity aligns with Council's policies, strategies and plans
- f. The event/activity must add to the diversity to Council's events/activities calendar and must not clash with events scheduled in that calendar
- g. The event/activity must be accessible and inclusive to all members of the public
- h. The applicant is a legal entity or auspiced by a legal entity
- i. The proposed event/activity is covered by an appropriate and current Public and/or Product Liability Insurance Policy
- j. The event/activity includes strategies to partner and/or collaborate with local businesses and community to support economic and social outcomes
- k. The event/activity will attract visitors from outside the Council area and raise awareness of the City
- l. The event/activity has not been considered in any other grant or sponsorship program/category managed by Council. Submissions of the same event/activity through multiple grants or sponsorship programs will not be considered
- m. The event meets SA Government conditions that may be in place at the time of the event/activity or other conditions that the CEO determines appropriate for the relevant event/activity.

4.9 Ineligible

Event/activity applications will be ineligible if:

- a. The requested funding is used for the purposes of running the organisation making the request (salaries, rent etc)
- b. The event/activity is already receiving funding from Council in the same financial year
- c. The event/activity is private or a function, or the proposed event/activity will be held exclusively for members of a community organisation or a business
- d. The event/activity is for general fundraising purposes
- e. The event/activity may denigrate or exclude parts of the community, or is otherwise in conflict with Council's policies on inclusion
- f. The event/activity is a school fete or similar activity,
- g. The applicant is unable to meet the compliance and safety requirements of running the event/activity
- h. The applicant has not fulfilled their obligations under previous funding arrangements
- i. The applicant is a Council staff member or Elected Member and/or a direct family member.

4.10 Applications for Sponsorship by Council

In addition to meeting the eligibility criteria, all applicants must submit the following:

- a. A comprehensive event/activity management plan, including a site map and run sheet
- b. Risk management plan
- c. All other appropriate event/activity documentation – for example, traffic and pedestrian management, fireworks, liquor licensing, crowd control
- d. Event/activity budget
- e. Copies of all relevant insurance and licensing documentation
- f. The environmental credentials of the event/activity
- g. Details on how event/activity participation and experience will be measured
- h. Compliance with relevant SA Government/CEO requirements in force at the time
- i. The benefits to Council of sponsoring the event/activity, including how Council's contribution will be recognised – for example, speaking opportunities, brand exposure, signage and/or community engagement opportunities
- j. Evidence of the applicant's ability to successfully manage the event/activity
- k. The future viability of the event/activity beyond funding through this program

4.11 In-Kind Sponsorship

In-kind contributions have a financial cost to Council, which must be costed and included in the total amount requested. Examples of in-kind support that Council may provide includes:

- a. Site hire fees/bonds
- b. Marketing and promotional support
- c. Event/activity management logistics, advice and support.

Other services, such as waste bin hire and transport, may be provided on a cost-recovery basis.

5. Definitions

Key term or acronym	Definition
CEO	Refers to the Chief Executive Officer (including their delegate) of the City of Holdfast Bay.
Sponsor	An organisation or individual providing resources in return for specific benefits.
Sponsorship	An agreement where Council provides or is provided with financial and/or in kind in support for an activity. Sponsorship is usually for a defined period and does not include the selling of advertising space, joint ventures, consultancies, grants and unconditional gifts, bequests, endowments or donations.
Sponsorship Agreement	A contract that outlines the terms of the Sponsorship.

6. Administration Use Only

Reference Number:	
Strategic Alignment:	<p>Council's vision for 2050+ is, in part, to create "a welcoming and healthy place for all in South Australia's most sustainable city".</p> <p>Furthermore, Council's Strategic Plan Our Holdfast 2050+ includes the following aspirations:</p>

	<ul style="list-style-type: none"> - Our residents and visitors feel safe, healthy and connected no matter their age and ability. - We encourage socially responsible, sustainable, and innovative economic development. - We apply creativity in all aspects of thought and action to build an economy and community that are inclusive, diverse, sustainable and resilient.
Strategic Risk:	Poor or ineffective Community Service delivery
Responsible Officer(s):	Manager City Activation
First Issued / Approved:	X January 2024
Minutes Date and Council Resolution Number:	
Last Reviewed:	
Next Review Date:	
Applicable Legislation:	<i>Local Government Act 1999</i>
Related Policies:	Council Procurement Policy
Other Reference Documents:	Fees and Charges Register